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UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW

Report of the Secretary-General

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I. INTRODUCTION

1. The United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law was established by the General Assembly in its resolution 2099 (XX) of 20 December 1965. The most recent resolution concerning the Programme was adopted by the General Assembly on 11 December 1995 (resolution 50/43).[1] The encouragement of the teaching, study, dissemination and wider appreciation of international law has also been considered as one of the main purposes of the 1990-1999 United Nations Decade of International Law.[2]

2. By its resolution 50/43, the General Assembly authorized the Secretary-General to carry out in 1996 and 1997 the activities specified in the report on the Programme that he had submitted to the Assembly at its fiftieth session (A/50/726). The Assembly expressed its appreciation to the Secretary-General for his constructive efforts to promote the Programme.

3. In paragraph 16 of resolution 50/43, the General Assembly requested the Secretary-General to report to it at its fifty-second session on the implementation of the Programme during 1996 and 1997 and, following consultations with the Advisory Committee on the Programme, to submit recommendations regarding the execution of the Programme in subsequent years.

4. The present report deals with the implementation of the Programme of Assistance during 1996-1997 in accordance with the guidelines and recommendations contained in the report of the Secretary-General to the fiftieth session of the General Assembly (A/50/726). The report, inter alia, gives an account of the activities performed by the United Nations itself and of those in which the Organization has participated, as well as a description of contributions conducted by the United Nations Institute for Training and Research (UNITAR) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

II. IMPLEMENTATION OF THE PROGRAMME DURING THE BIENNIUM 1996-1997

A. Activities of the United Nations

1. Geneva International Law Seminar

5. The International Law Seminar held at Geneva is for advanced students specializing in international law and for young professors or government officials dealing with questions of international law in the course of their work. The criteria applied in the selection of candidates are the individual qualifications of the applicants, including publications and linguistic ability in English and French; the usefulness of the seminar for their future career; and the equal representation of males and females. The Seminar is intended for candidates mostly from developing States.

6. The thirty-second session of the International Law Seminar was held at the Palais des Nations from 17 June to 5 July 1996 during the forty-eighth session of the International Law Commission. Twenty-four candidates (12 male and 12 female) were selected and participated in the 1996 Seminar.[3] They were from Argentina, Burkina Faso, Cameroon, Canada, Cuba, Denmark, Ecuador, Finland, Georgia, Haiti, the Islamic Republic of Iran, Japan, Latvia, Lebanon, Lesotho, Malawi, Mali, Nepal, Peru, the Philippines, Spain, Sri Lanka, Sweden and Tunisia.

7. The thirty-third session of the International Law Seminar was held at the Palais des Nations from 16 June to 4 July 1997, during the forty-ninth session of the Commission. Twenty-two candidates (12 male and 10 female) were selected and participated in the Seminar.[4] They were from Argentina, Botswana, Chile, China, Costa Rica, Côte d'Ivoire, Ethiopia, Finland, France, Germany, Greece, Guinea, Honduras, Indonesia, Kyrgyzstan, Malaysia, Mexico, Mongolia, Pakistan, Paraguay, Turkmenistan and Uganda.

8. During the three weeks of each session of the Seminar, the participants attended the meetings of the International Law Commission and lectures delivered by members of the Commission, officials of the United Nations and international organizations at Geneva, as well as by experts from the International Committee of the Red Cross.[5]

9. The Seminar is funded by voluntary contributions from Member States and through national fellowships awarded by Governments to their own nationals. In 1996 the Governments of Cyprus, Denmark, Finland, Hungary, Iceland, Japan, Norway and Switzerland, and in 1997, the Governments of Cyprus, Denmark, Finland, Germany, Iceland, Norway and Switzerland made fellowships available to participants from developing countries. With the award of these fellowships, it was possible to achieve adequate geographical representation of participants and to bring deserving candidates who would otherwise have been prevented from participating in the Seminar. For the 1996 session, full fellowships (travel and subsistence allowance) were awarded to 10 participants, and partial fellowships (subsistence only) were given to 6 participants. For 1997 session, full fellowships (travel and subsistence allowance) were awarded to 18 participants and a partial fellowship (subsistence only) to 1 participant. Thus, of 736 participants, representing 142 nationalities, who have participated in the Seminar since its inception in 1965, fellowships have been awarded to 408 individuals.[6]

10. At both sessions, the International Law Commission stressed the importance it attached to the Seminar, which enabled young lawyers and especially those from developing countries to familiarize themselves with the work of the Commission and the activities of the many international organizations that have their headquarters at Geneva. However, as the available funds have been exhausted, the Commission recommended that the General Assembly should again appeal to States to make voluntary contributions needed to hold the Seminar in 1998 with as broad a participation as possible.[7]

11. The Commission noted with satisfaction that in 1996 and 1997 comprehensive interpretation services had been made available to the Seminar and it expressed

the hope that the same services would be provided for the next session despite existing financial constraints.[8]

2. International Law Fellowship Programme

12. The International Law Fellowship Programme is designed to enable qualified persons from developing countries, in particular mid-level government legal officers and young professors of international law, (a) to deepen their knowledge of international law, particularly of those questions of special interest to developing countries; (b) to have an opportunity for frank and informal exchanges of views on legal problems of common interest or of special concern to their respective countries; and (c) depending on the financial resources available to the Fellowship Programme in any given year, to acquire practical experience of the legal work of the United Nations and its associated agencies.

13. The criteria applied in the selection of candidates are the following: qualifications of individual applicants; needs of their respective countries; potential applicability in their normal fields of work of the benefits obtained from the fellowship; preference to candidates from countries whose nationals have not been awarded a fellowship in immediately preceding years; preference to the least developed among the developing countries and to those developing countries which have recently gained independence; and equitable representation of males and females.[9]

14. The Fellowship Programme offers the following three schemes:

(a) Attendance for six weeks at the lectures at the Hague Academy of International Law and participation in the Special Seminars organized by the Office of Legal Affairs and UNITAR as in scheme (c) below, followed by a three-month practical training period in the Office of Legal Affairs of the United Nations Secretariat or in the legal departments of the various United Nations bodies or specialized agencies;

(b) Attendance for six weeks at the lectures at the Hague Academy of International Law and participation in the Office of Legal Affairs/UNITAR Special Seminars as in scheme (c) below, and participation in the Geneva International Law Seminar, organized by the Office of Legal Affairs in conjunction with the annual session of the International Law Commission;

(c) Attendance for six weeks at the annual lectures in private and public international law at the Hague Academy of International Law and participation in the special lectures and seminars organized by the Office of Legal Affairs and UNITAR which are held at The Hague concurrently with the Academy's lectures.

15. However, in the last several years, owing to financial constraints, the participants in the Programme have been awarded fellowships under scheme (c).

16. In paragraph 2 (a) of its resolution 50/43, the General Assembly authorized the Secretary-General to award a number of fellowships in both 1996 and 1997, to be determined in the light of the overall resources for the Programme of

Assistance and to be awarded at the request of Governments of developing countries. On the basis of that resolution, 18 fellowships were awarded in 1996 and in 1997.[10]

17. For the 1996 Fellowship Programme, 201 applications from 83 countries had been received by the closing date.

18. The 18 fellows (nine female and nine male) who participated in 1996 were from the following countries: Armenia, Bangladesh, Belarus, Côte d'Ivoire, Cyprus, Djibouti, Dominican Republic, El Salvador, Eritrea, Jordan, Kyrgyzstan, Lao People's Democratic Republic, Malaysia, Namibia, Panama, Peru, Republic of Moldova and Togo. Four observers also attended the course, and were from the following countries: Belgium, Costa Rica, Japan and Spain.

19. For the 1997 Fellowship Programme, 193 applications from 83 countries had been received by the closing date.

20. In 1997 only 16 of the 18 selected candidates were able to participate.[11] The 16 fellows (8 female and 8 male) who participated were from the following countries: Algeria, Cambodia, Chad, Colombia, Dominica, Ecuador, Fiji, Gabon, Gambia, Mauritania, Morocco, Seychelles, Sri Lanka, Ukraine, Uzbekistan and Viet Nam. Seven observers also attended the course and were from the following countries: India, Italy, Japan, Peru, Qatar, Spain and Sweden.

21. The study programme at The Hague comprised, in addition to the series of lectures on private and public international law given at the Academy, an intensive programme of seminars and exercises specially organized by the Office of Legal Affairs and UNITAR for the benefit of the fellows.

22. In 1996, the Hague Academy courses on public international law included the following:[12] (a) General course: International law and the sovereignty of States (J. A. Carrillo Salcedo, Professor at the University of Seville); (b) Fiftieth anniversary of the International Court of Justice (H.E. M. Bedjaoui, President of the International Court of Justice); (c) Principles of procedure in international litigation (E. Lauterpacht, Former Director of the Research Centre for International Law, University of Cambridge); (d) Island States (L. Lucchini, Professor at the University of Paris I); (e) Contribution of international trade law to the development of international law (D. M. McRae, Professor at the University of Ottawa); (f) Formation of customary international law (M. Mendelson, Professor at University College); (g) Relation of the International Court to international arbitration (M. W. Reisman, Professor at Yale University); and (h) Measures adopted by the Security Council under Chapter VII of the Charter of the United Nations (M. Spinedi, Professor at the University of Rome).

23. The 1996 special seminars organized by the Office of Legal Affairs and UNITAR covered the following topics:[13] (a) International protection of human rights; (b) International humanitarian law; (c) Refugee law; (d) International law and sustainable development; (e) International economic law; (f) World Trade Organization and the multilateral trading system; (g) International environmental law; and (h) Law of the sea.

24. In 1997, the Hague Academy courses on public international law included the following:[14] (a) general course: the legal foundations of the international system: organization, law-making, law enforcement (K. Zemanek, Professor at the University of Vienna); (b) multilateral rights and obligations in international law (J. Crawford, Professor at the University of Cambridge); (c) enforcing international law (L. Damrosch, Professor at Columbia University); (d) revision of the institutions of the European Union (H.E. M. Orfja, Member of the European Commission); (e) non-governmental organizations and the implementation of international law (H.E. R. Ranjeva, Judge at the International Court of Justice); (f) the role of the European Union in protecting human rights (J. Rideau, Professor at the University of Sophia Antipolis); (g) private factors and public international law (E. Roucounas, Professor at the University of Athens); and (h) Uti possidetis and its effectiveness in territorial and boundary disputes (L. Sánchez Rodríguez, Professor at the Autonomous University of Madrid).

25. The 1997 special seminar organized by the Office of Legal Affairs and UNITAR covered the following topics:[15] (a) international environmental law; (b) law of the sea; (c) negotiating international legal instruments; (d) State responsibility; (e) the World Trade Organization and the multilateral treaty system; (f) selected topics on human rights; (g) international humanitarian law; (h) international criminal law; and (i) international refugee law.

26. The methodology used in these special seminars places emphasis on the practical aspects of the topics, including case studies, and encourages the active participation of the fellows.

27. Under the Programme, introductory seminars were arranged in 1996 and 1997 on the work of the International Court of Justice, as well as study-visits to the Permanent Court of Arbitration, the Hague Conference on Private International Law, the Iran-United States Claims Tribunal, the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, and the Houses of Parliament of the Netherlands.

28. No regional refresher courses were organized in 1996 or 1997 in the absence of voluntary contributions and of a host country.

3. Activities of the Office of Legal Affairs

(a) Public international law and other activities

29. As in the past, the Office of Legal Affairs of the United Nations Secretariat, and in particular its Codification Division, continued to perform various functions connected with the goals of the Programme.

30. The Office, in cooperation with UNITAR, made the various arrangements relating to the general orientation of the Fellowship Programme in International Law, such as the selection of fellows and the lecturers for the Programme. Close consultations were maintained between the Codification Division and UNITAR

so as to ensure the implementation of the guidelines for the Fellowship Programme as approved by the General Assembly.

31. The Office of Legal Affairs received and assigned interns to participate in activities related to some of its projects. The Office selects interns and arranges for the duration and type of their training and assigns them to projects in which an intern has a special interest. Interns bear all their financial expenses.

32. Staff members of the Office of Legal Affairs, through arrangements made by the Office of Communications and Public Information, have lectured at Headquarters on various aspects of international law and the law of international organizations to different audiences, including foreign office officials, parliamentarians, teachers and university students, as well as to members of governmental and non-governmental organizations.

33. The Codification Division assists in the dissemination of information regarding the work of the United Nations on the codification and progressive development of international law, as well as on some aspects regarding its application. A summary of the activities of the Sixth Committee and its subsidiary organs are being posted on the United Nations home page of the Internet, on a regular basis. The report of the International Law Commission on the work of its forty-eighth (1996) session[16] has also been posted, and efforts are being made by the Division to place on the Internet other legal materials in the field of public international law, including summaries of the recent decisions of the International Court of Justice and the legal opinions beginning with the 1993 United Nations Juridical Yearbook. In cooperation with the United Nations Dag Hammarskjöld Library, the Codification Division will undertake to prepare abstracts of selected legal materials for inputting into the Global Legal Information Network (GLIN),[17] an automated database of statutes and regulations that originate from countries in the Americas, Europe, Africa and Asia, which are available to delegations and Secretariat members through GLIN. The Division for Ocean Affairs and the Law of the Sea is now providing information to its sub-site on the home page, which includes information on legal aspects of the marine environment, marine resources, activities of other organizations and bodies in the area of oceans and the law of the sea, relevant international and regional agreements, settlement of disputes and extensive lists of documents and publications aimed at a better understanding of the legal regime as contained in the United Nations Convention on the Law of the Sea. (See also the information contained in section 5 below.)

(b) Activities concerning the law of the sea and ocean affairs: the Hamilton Shirley Amerasinghe Memorial Fellowship

34. The Division for Ocean Affairs and the Law of the Sea contributes to the promotion and wider dissemination of international law, as well as the acquisition of additional knowledge of the law of the sea, inter alia, by the annual award of the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea.[18]

35. The fellowship provides an opportunity to fellows to advance in their chosen professions or vocations by expanding their knowledge and attaining a better understanding of and greater specialization in the fields of study related to the law of the sea and its implementation. The candidates for the fellowship must have a degree in law, marine science, political science, ocean management, administration of ports or in related disciplines. They must have at least five years of work-related experience.

36. The fellowship is awarded by the Under-Secretary-General for Legal Affairs, the Legal Counsel, on the recommendations of the Advisory Panel.[19]

37. The universities and institutions participating in the programme are: Centre for Oceans Law and Policy, University of Virginia, United States; Dalhousie Law School, Halifax, Canada; Faculty of Law, University of Oxford, United Kingdom of Great Britain and Northern Ireland; Graduate Institute of International Studies, Geneva; Institute of Maritime Law, University of Southampton, United Kingdom; Marine Policy Center, Woods Hole Oceanographic Institution, Massachusetts, United States; Netherlands Institute for the Law of the Sea, University of Utrecht, Netherlands; Research Centre for International Law, University of Cambridge, United Kingdom; Rhodes Academy of Oceans Law and Policy, Rhodes, Greece; School of Law, University of Georgia, United States; School of Law, University of Miami, United States; School of Law, University of Washington, United States; and William S. Richardson School of Law, University of Hawaii, United States.

38. The annual award under the fellowship programme provides successful fellows with facilities for postgraduate-level study and research in the field of law of the sea, its implementation and related marine affairs. They may do so at any of the participating universities, which provide facilities for the successful candidates to pursue their academic research and studies for three to six months free of tuition, followed by an internship period of up to three months with the Division.

39. The fellowship is publicized globally and applications are received in response to invitations extended through the offices of the resident representatives of the United Nations Development Programme (UNDP) and through the United Nations information centres. The selection of candidates is subject to a two-stage process. The preliminary stage of review of the individual applications and nominations, which are received from Governments, governmental agencies, institutions and other bodies, is carried out by the Division for Ocean Affairs and the Law of the Sea in cooperation with the Codification Division of the Office of Legal Affairs. A shortlist of candidates is drawn up for evaluation by an Advisory Panel. Twelve awards have been made since 1986.

40. The United Kingdom, in responding to General Assembly resolution 49/28 of 6 December 1994, once again offered £15,000 to fund a fellowship for the 1996/97 academic year under the programme. In making the donation, the United Kingdom made a special request that the candidate should be chosen from a developing country and should carry out a programme of advanced study and research at the graduate level at a university in the United Kingdom followed by an internship period with the Division.

41. As a result of the offer from the United Kingdom, it was possible to award one fellowship in 1995, to be implemented in 1996/97.[20]

42. The Advisory Panel welcomed the contribution. While extending its appreciation to the Government of the United Kingdom, the Panel once more expressed the hope that this could become a tradition as a continuing commitment on the part of the United Kingdom and urged other countries to consider following the example of the United Kingdom.

43. The fellowship provides for the cost of round-trip air travel of the successful fellow from his/her home country to the chosen university and thereafter to United Nations Headquarters in New York and back to his/her home country. Appropriate subsistence is also paid to the fellow while at the university and during the internship period with the United Nations, Division for Ocean Affairs and the Law of the Sea, in New York, in accordance with established United Nations rates for fellowships. Attempts have been made to fund the annual fellowships from the interest accrued under the fellowship fund. In the last several years, however, the contributions have dropped and it has become necessary to draw upon capital in order to maintain the fellowship.

44. Individuals from the following countries have been recipients of the fellowship: Nepal (1986), United Republic of Tanzania (1987), Chile (1988), Saint Lucia (1989), Sao Tome and Principe (1990), Croatia (1991), Thailand (1992), Kenya (1993),[21] Seychelles and Cameroon (1994), Tonga (1995) and Indonesia (1996).

45. The Advisory Panel, chaired by Professor John Norton Moore, noted that, as in previous years, the candidates were all of a very high calibre and recommended that efforts be continued to acquire additional funding for fellowships from philanthropic and other institutions and to encourage universities to award fellowships to all finalists in the programme. Along these lines, on the basis of the Panel's endorsement, selected candidates are designated as "finalists" in consideration for the award and are encouraged to use this information in applying directly to universities for fellowship consideration. In this connection, the Rhodes Academy of Oceans Law and Policy in Greece has invited applications for its programme from the 14 finalists for the tenth award.

46. The Panel also urged the Under-Secretary-General, the Legal Counsel, to explore the possibility of increasing the endowment so that the interest earned therefrom would enable more than one fellowship to be awarded per year.

47. The Advisory Panel will meet later in 1997 to recommend a candidate for the twelfth award. Thereafter the award will be announced by the Under-Secretary-General for Legal Affairs, the Legal Counsel.

(c) Activities concerning international trade law

48. The activities of the United Nations Commission on International Trade Law (UNCITRAL) and its secretariat (International Trade Law Branch of the United Nations Office of Legal Affairs) are designed primarily to acquaint lawyers,

government officials and scholars, particularly from developing countries, with the work of UNCITRAL and with the legal texts that have emanated from its work. In doing so, the secretariat has kept in mind the decision of the Commission at its fourteenth session, in 1981, that a major purpose of the training and assistance activities should be the promotion of texts that have been prepared by the Commission.[22]

49. The Commission, pursuant to General Assembly resolutions 50/47 of 11 December 1995 and 51/161 of 16 December 1996, organized seminars and symposia in many developing countries.[23] In the aforementioned resolutions, the Assembly had appealed to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to make voluntary contributions to the trust fund for travel assistance to developing countries that were members of the Commission, at their request and in consultation with the Secretary-General and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and in the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia. The Assembly also appealed to the United Nations Development Programme and other bodies responsible for development assistance, such as the International Bank for Reconstruction and Development and the European Bank for Reconstruction and Development, as well as to Governments in their bilateral aid programmes, to support the training and technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission.

50. The Secretariat continued with the internship programme and received 11 interns in 1996 and 8 in 1997.

4. Cooperation with other organizations

51. Several international organizations and institutions[24] have continued to participate as observers in various meetings of United Nations bodies dealing with the progressive development of international law and its codification. On 9 October 1996, a joint meeting of the members of the Asian-African Legal Consultative Committee and the legal advisers of the permanent missions of Member States to the United Nations in New York was held in cooperation with the Secretariat to discuss a number of topics of mutual interest.

5. Publications

(a) United Nations Treaty Series

52. The Treaty Section is progressively implementing a comprehensive computerization programme to facilitate the effective and timely dissemination of treaty information from the United Nations Treaty Series through the global electronic gateways.[25] Furthermore, a new database/workflow system is being developed to reduce the processing time for treaties submitted for registration with the Secretariat, and to expedite their publication process, including a

desktop publication capability.[26] It is hoped that these measures will assist significantly in reducing the existing backlog in the publication of the Treaty Series and lead to considerable savings of resources.

53. The Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties (ST/LEG/8) was translated into French in 1997 and the French version will be released shortly.

(b) United Nations Juridical Yearbook

54. Publication of the United Nations Juridical Yearbook is proceeding after interruption owing to the financial crisis. The 1990 and 1986 editions appeared in 1993 and 1994, respectively, and the 1991 edition appeared in November 1996. The 1987, 1992 and 1993 are in the press (the 1993 edition for the first time contains an index). The 1994 edition has been submitted for publication. Efforts are under way to submit the 1988 edition by the end of 1997, and the 1995 and 1989 editions in 1998. Thereafter, work on the subsequent editions will continue. A cumulative index of selected legal opinions of the Secretariat of the United Nations as published in the United Nations Juridical Yearbooks (1962 to 1986 and 1990) has also been issued in 1997. Furthermore, work on a cumulative index for the entire series of the yearbooks is almost completed. Efforts are also under way to place the recent legal opinions on the Internet.

(c) United Nations Reports of International Arbitral Awards

55. The Codification Division of the Office of Legal Affairs has prepared volumes 20 and 21 of the United Nations Reports of International Arbitral Awards. Volume 20 of this publication containing three arbitral awards was published in 1996.[27] Volume 21, again containing three arbitral awards, is in the press and it is expected to be published in 1997. Volume 22 is in preparation by the Division.

(d) Other publications

56. The fifth edition of The Work of the International Law Commission, prepared by the Codification Division, was published in May 1996. The proceedings of the United Nations Congress on Public International Law is published under the title International Law as a Language for International Relations (1996). In accordance with the programme of activities for the third term (1995-1996) of the Decade, approved by the General Assembly in its resolution 49/50 of 9 December 1994, the Division has undertaken the updating of the publication Summaries of the Judgments, Advisory Opinions and Orders of the International Court of Justice (1949-1991) covering the period 1992-1996. The Secretariat has placed summaries of the 1992-1996 decisions (in English) of the Court on the Internet. As a contribution to the Decade, members of the International Law Commission have published, with the assistance of the Codification Division, a collection of essays on public international law entitled International Law on the Eve of the Twenty-first Century (1997). The Division for Ocean Affairs and the Law of the Sea has published during 1996-1997 Law of the Sea Bulletin

(Nos. 30 to 35), which updates information relating to the law of the sea and marine affairs including national legislation, bilateral and multilateral treaties, and the decisions of international courts and arbitral tribunals; the Law of the Sea Information Circular (Nos. 2 to 5), which contains information on any action taken by States parties in implementing the United Nations Convention on the Law of the Sea; and the annual selected bibliography on the law of the sea.[28] Mention should also be made in this context of the UN Chronicle, which frequently includes information on the current legal activities of the United Nations.

6. Distribution of United Nations legal publications

57. Pursuant to paragraph 116 of the 1995 report of the Secretary-General on the Programme of Assistance (A/50/726) and paragraph 1 of General Assembly resolution 50/43 authorizing its implementation, copies of United Nations legal publications issued during 1996 have been provided to the institutions in developing countries that have been receiving such publications under the Programme and to other institutions in a number of countries, in particular in the developing countries, for which requests for such publications have been made by the Member States concerned. The International Court of Justice continued to provide copies of its publications to institutions receiving assistance under the Programme.

7. Fellowships offered at national institutions

58. The United Nations Secretariat publicizes requests for fellowship offers for the study of international law at national institutions. During 1996, the United Kingdom submitted an offer of research/training fellowships sponsored by the Nuffield Foundation in the area of "Law Reform and Initiative in Professional Legal Education" to be taken up at the Institute of Advanced Legal Studies, University of London.

B. Activities of the United Nations Institute for Training and Research

59. In addition to cooperation with Office of Legal Affairs in organizing the Fellowship Programme, as referred to in section A.2. above, UNITAR has carried out a number of activities related to the teaching, study, dissemination and wider appreciation of international law.

International Court of Justice - Colloquium on the celebration of the fiftieth anniversary of the Court

60. The International Court of Justice and UNITAR co-sponsored a colloquium on the celebration of the fiftieth anniversary of the Court, entitled "Increasing the effectiveness of the Court", held at the Peace Palace at The Hague in April 1996. Attending the colloquium were eminent scholars of the Court, legal advisers from States Members of the United Nations and the judges of the Court. The proceedings of the colloquium are being published in 1997.

UNITAR International Peace Academy fellowship programme in peacemaking and preventive diplomacy

61. The fellowship programme offers advanced training in conflict analysis, negotiation and mediation to international and national civil servants who wish to learn or refine these skills. The programme is based on the latest knowledge in the field and is taught by distinguished and expert faculty from both academic and applied settings, as well as by current and former staff of the United Nations Secretariat.

62. The programme is organized for a period of two months and is available to middle-level and senior-level Professional staff from the substantive departments and agencies of the United Nations, staff from regional organizations, diplomatic staff from foreign ministries and relevant personnel from non-governmental humanitarian organizations.

Workshop on Procedures for the Settlement of Trade Disputes at the World Trade Organization (WTO)

63. This one-week workshop is organized on an annual basis for the benefit of members of permanent missions accredited to the United Nations Office at Geneva. The 1996 workshop took place in September.

64. The objective of the workshop is to explain the WTO dispute settlement procedures, including conciliation and arbitration.

Training on legal aspects of debt and financial management

65. This programme seeks to provide training in legal aspects of debt and financial management in countries of sub-Saharan Africa, the newly independent Central Asian republics, and North and South Asia, as well as in the Middle East. A range of subregional seminars and targeted in-depth follow-up workshops (along with institution-building measures) will be implemented in the participants' countries to sensitize and/or train senior officers, middle-level managers, law professors and lawyers in legal aspects of debt management. The training programme will also establish facilities in selected countries to provide training on a continuing basis, both nationally and subregionally.

Preparation of UNITAR Correspondence Instruction Programme in International Environmental Law

66. UNITAR's latest initiative with regard to the training and dissemination of international law is the development of a Training Programme in International Environmental Law, in partnership with the Commission on Environmental Law of the International Union for the Conservation of Nature and Natural Resources (World Conservation Union). Correspondence instruction will be the central component of the programme in order to reach large numbers of people in both governmental and non-governmental organizations from countries throughout the world. This self-study programme applies a baseline approach and intends to complement existing training efforts in the field.

67. The correspondence instruction will be supplemented by specialized follow-up workshops and seminars held at the regional or subregional level with selected efforts for environmental law capacity-building at the national level.

C. Activities of the United Nations Educational, Scientific and Cultural Organization

68. UNESCO in conjunction with the Société française pour le droit international prepared a document on teaching and research in the field of human rights at the higher education level for French-speaking countries. The document covers present teaching programmes and subject courses taught at universities as well as research and themes covered. It is the result of the "Journées d'études" organized by the Société française pour le droit international on 20 January 1996 at UNESCO headquarters in which scholars, teachers and researchers from industrialized as well as developing countries discussed the status of teaching and research, and considered measures aimed at developing human rights education at the university level.

69. UNESCO continued to carry out activities in the field of international law in 1995 and 1996:

(a) UNESCO World Directory of Human Rights Research and Training Institutions. The third edition (1995), prepared on the basis of information received by UNESCO in response to a revised questionnaire, took into account recent developments and trends in the field of human rights, including procedures for their protection. The Directory contains a country index and provides information notably on research themes and on specialists working in the field of human rights as well as on international cooperation. The 1995 edition has 368 entries: 301 national institutions and 67 regional and international institutions. It is intended to aid in establishing collaboration among institutions and creating networks of research and training institutions that specialists and non-specialists can all contribute to the promotion and protection of human rights.

(b) The struggle against discrimination. A collection of international instruments adopted by the United Nations system, 1996.

(c) Human rights: Major international instruments (Status as at 31 May 1997). This publication offers reviews of the instruments adopted by the United Nations, its specialized agencies and other international organizations.

(d) Chairs on human rights, democracy and peace established in 1996-1997:[29]

1996

Austria: UNESCO Chair on Peace, Human Rights and Democracy at the European University Centre for Peace Studies, September 1996;

Brazil: UNESCO Chair on Education for Peace, Human Rights, Democracy and Tolerance, at the University of São Paulo, January 1996;

Madagascar: UNESCO Chair for Peace, Democracy and Development at the University of Fiarantsoa, June 1996;

Morocco: UNESCO Chair on Education, Training and Research for Human Rights at the University Mohammed V of Rabat, March 1996;

South Africa: UNESCO (Oliver Tambo) Chair of Human Rights at the University of Fort Hare, March 1996.

1997

Belarus: UNESCO Chair in the Culture of Peace and Democracy at the National Institute of Higher Education of the Republic of Belarus, Minsk, May 1997;

Georgia: UNESCO Chair on a Culture of Peace and Democracy at the State Pedagogical University, Tbilisi, February 1997;

Greece: UNESCO Chair on Education for Human Rights and Peace at the Aristotle University of Thessaloniki, April 1997;

Mexico: UNESCO Chair for Human Rights at the Faculty of Political and Social Sciences of the National Autonomous University of Mexico, February 1997.

Palestinian Authority: UNESCO Chair in Human Rights, Democracy and Peace at An Najah National University, June 1997.

Russian Federation: UNESCO Chair on a Culture of Peace and Democracy of Moscow, February 1997.

D. Other activities reported by States and international organizations concerning the teaching, study, dissemination and wider appreciation of international law pursuant to General Assembly resolutions 50/44 and 51/157

70. The reports of the Secretary-General to the General Assembly at its fifty-first and fifty-second sessions on the agenda item entitled "United Nations Decade of International Law"[30] contained an analytical compilation of other activities reported by States and international organizations carried out in implementation of chapter IV of the programme of activities for the third and the final terms (1995-1996 and 1997-1999) of the Decade.

71. Those activities have been grouped under eight headings: promotion of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law; promotion of the teaching of international law for students and teachers at schools and at higher education levels and international cooperation for that purpose; organization of and participation in international and regional seminars and symposia for experts on international law; training in international law for legal professionals and government officials organized by States and international organizations;

publication of the practice of States and international and regional organizations in the field of international law; publication by States and international organizations of international legal instruments and legal studies; wider publication of the judgements and advisory opinions of international courts and tribunals and summaries thereof; and publication by international organizations of treaties concluded under their auspices, publication of the United Nations Treaty Series and the United Nations Juridical Yearbook.

72. Chapters of the above-mentioned reports on the questions of promotion and dissemination of international law should be considered an integral part of the present report.

III. GUIDELINES AND RECOMMENDATIONS REGARDING EXECUTION OF THE PROGRAMME IN THE BIENNIUM 1998-1999

A. General observations

73. In paragraph 16 of General Assembly resolution 50/43, the General Assembly requested the Secretary-General to report to it at its fifty-second session on the implementation of the Programme during the period 1996-1997 and, following consultations with the Advisory Committee on the Programme, to submit recommendations regarding the execution of the Programme in subsequent years. The guidelines and recommendations requested by the Assembly are presented in the following paragraphs. In formulating the guidelines and recommendations, account has been taken of the fact that in resolution 50/43 the General Assembly did not provide new budgetary resources for the Programme but relied instead on financing such activities from the existing overall level of appropriations and voluntary contributions from States. Therefore, one general recommendation is that the United Nations and other agencies continue the current activities under the Programme and develop and expand them if new funds become available through voluntary contributions. New activities should only be undertaken if the overall level of appropriations or voluntary contributions make them possible.

B. Activities of the United Nations

74. Geneva International Law Seminar. It is expected that, if sufficient voluntary contributions from States continue to be made, new sessions of the Seminar will be held in 1998 and 1999 in conjunction with those of the International Law Commission. Scheduling of the sessions of the Seminar should be done in such a way as to make it possible to provide the Seminar with adequate services, including interpretation as required.

75. Public international law and other activities. During the biennium 1998-1999, the Office of Legal Affairs and its Codification Division are expected to continue performing the various functions connected with the goals of the Programme, as described in the present report, namely, participation in the International Law Fellowship Programme; training of interns; lecturing on international law topics; secretariat functions to the Advisory Committee and to the Sixth Committee on the item concerning the United Nations Programme of

Assistance; and dissemination of information regarding the codification and progressive development of international law and the United Nations Decade of International Law. With regard to the training of interns, geographical distribution is duly borne in mind in selecting interns and, at the same time, existing possibilities are fully taken advantage of, irrespective of nationality.

76. Activities concerning the law of the sea and ocean affairs; the Hamilton Shirley Amerasinghe Memorial Fellowship. The Office of Legal Affairs will continue to award at least one fellowship annually, in accordance with the rules and guidelines referred to in paragraphs 35 and 39 above.

77. Activities concerning international trade law. The steps to promote training and assistance in international trade law are of particular concern to developing countries. The Secretary-General, through the International Trade Law Branch of the Office of Legal Affairs, will take the requisite action during the biennium 1998-1999 in order to implement the recommendations addressed to him in this regard by UNCITRAL and the General Assembly.

78. Publications. It is expected that the United Nations Secretariat will continue its efforts to reduce the backlog of the United Nations Treaty Series and of the United Nations Juridical Yearbook in accordance with the plan of action referred to in paragraphs 52 and 54 above. Efforts should also be continued by the United Nations Secretariat to ensure the publication of matters of legal interest through the Internet on the United Nations home page and through other electronic media.

79. Provision of United Nations legal publications. Copies of United Nations legal publications issued during 1998-1999 will be provided to the institutions in developing countries that have been receiving such publications under the Programme and to other institutions in the developing countries for which requests for such publications are made by the Member States concerned. Each new request shall be reviewed on its own merits and the availability of the legal publication in question shall also be taken into account.

80. Fellowships and scholarships offered at national institutions. Information received from Governments regarding the fellowships and scholarships offered at national institutions will, at the request of those Governments, be circulated to all Member States.

81. International Law Fellowship Programme. For the reasons spelled out in paragraphs 12 and 15 above, the implementation of the International Law Fellowship Programme should be carefully evaluated in order to make it as effective and as efficient as possible. A number of fellowships, to be determined in the light of the above-mentioned review, should continue to be awarded each year under the United Nations regular budget. Additional fellowships may also be awarded from the Trust Fund of the Programme of Assistance, depending on the amount of the voluntary contributions received each year and taking into account the needed protection against irregularities in the flow of voluntary contributions.

82. The Programme should also be open to a limited number of observers whose Governments are willing to cover the expenses of their observers.

83. Extreme caution should be used in the allocation of funds from the Trust Fund to finance administrative and other expenses of the Fellowship Programme. As in previous years, it is to be stressed that guidelines contained in General Assembly resolutions should be followed, in particular the desirability of using, as far as possible, the resources and facilities made available by Member States, international organizations and others; as well as the need, in appointing lecturers for the seminars of the Fellowship Programme to secure representation of the major legal systems and to ensure balance among various geographical regions.

84. As in previous years, in the implementation of the Fellowship Programme, maximum use should be made of existing human and material resources of the Organization so as to achieve the best possible results within a policy of maximum financial restraint. Every effort should be made to enhance and maintain the high quality of the lecturers and the seminars. To the extent possible, teaching experts for the seminars should be selected from among the staff of the Organization, thus reducing to a minimum consultants' fees and making full use of the expertise of Organization staff in international law and related areas.

85. The Fellowship Programme has so far been organized bilingually, in English and in French. In addition to the administrative difficulties inherent in such an arrangement and in ensuring the quality of the Programme, bilingual seminars are very costly. The Secretary-General recommends that, beginning with the biennium 1998-1999, the Fellowship Programme be conducted alternately in English and in French. This recommendation is based on financial considerations as well as concerns for the improvement of the quality of the Programme. Bilingual seminars are more costly to organize than are monolingual seminars. Conducting seminars in one language would allow for a saving of approximately $26,000 per biennium. Taking into account the financial constraints under which the Organization is operating and which are clearly affecting the Programme, the promised saving would allow more fellowships to be granted to deserving fellows from developing countries.

86. In addition, monolingual seminars would increase the possibilities for enhancing the quality of the Programme. Currently, because the seminars cannot be run without including bilingual lecturers, the choice of lecturers is relatively limited. Bilingual lecturers teach eight training sessions per week, two sessions alternately in English and French each day with a break of 1 hour and 30 minutes in between. Owing to this heavy workload, lecturers are increasingly reluctant to accept teaching appointments on a bilingual basis. In addition, monolingual seminars would allow a wider choice of lecturers as well as topics.

87. Furthermore, when the same topics are taught by two different lecturers (one in English, the other in French), as is often the case at present, the approach, contents and training materials for the same subject can vary considerably between the two linguistic groups. This has occasionally caused concern among the fellows as well as the lecturers themselves. A monolingual

seminar would avoid this problem. In short, monolingual courses are more efficient and more effective.

88. Upon the invitation of the Office of Legal Affairs, UNITAR should continue to participate in those aspects of the Fellowship Programme more in keeping with its organizational capabilities and with the guidelines set out above.

89. United Nations Audiovisual Library in International Law. One of the basic and effective ways of disseminating and engendering a wider appreciation of international law is through teaching. Efforts should be made: (a) to assist States and, in particular, developing States and their universities and institutions of higher studies in incorporating international law courses into their curricula; and (b) to assist States in providing training opportunities in international law for government officials who are dealing with questions of international law in the course of their work. One cost-effective means of such assistance is through the preparation and distribution of audiovisual tapes. The Secretary-General proposes to create a United Nations Audiovisual Library in International Law. This library will collect and produce tapes useful for training and teaching international law and will be open to States and their educational institutions. A detailed proposal for the library is contained in the annex to the present report.

IV. ADMINISTRATIVE AND FINANCIAL IMPLICATIONS OF UNITED NATIONS PARTICIPATION IN THE PROGRAMME

A. Biennium 1996-1997

90. Among the activities carried out under the Programme during 1996-1997, the following items were related to allocations of the regular budget: the supply of United Nations legal publications to institutions in developing countries; and the provision of a number of international law fellowships, determined in the light of the overall resources for the Programme (General Assembly resolution 50/43, para. 2 (a)).

91. The cost of the handling and shipping of United Nations legal publications to institutions in developing countries has been covered under the relevant sections of the programme budget for the biennium 1996-1997 relating to Conference services, Distribution Section, and to Administration and management, Support services, Headquarters, Mail operations.

92. The actual cost of producing the publications falls under the respective allocations for the substantive programmes to which each publication belongs.

93. As for the cost of provision by the United Nations of a number of fellowships determined in the light of the overall resources for the Programme, a total of $358,200 was appropriated from regular budget sources under section 6, Legal activities, subprogramme 3, Progressive development and codification of international law, of the programme budget for the biennium 1996-1997.[31] Pursuant to General Assembly resolutions 50/214 and 50/215 A of 23 December 1995, the budget for the Office of Legal Affairs was reduced by 15 per cent. In order to maintain the usual number of fellows for the

International Law Fellowship Programme, $7,900 was withdrawn from the Trust Fund for the programme.

94. In accordance with paragraph 14 of General Assembly resolution 50/43, whereby the Assembly requested Member States, interested organizations and individuals to make voluntary contributions towards the financing of the Programme, the Secretary-General addressed a note on 8 January 1996 and again on 12 February 1997 to Member States drawing their attention to paragraphs 2 (a) and 13 to 15 of resolution 50/43, paragraph 9 of resolution 47/32 and paragraphs 15 and 16 of resolution 46/50.

95. In that connection, subsequent to the issuance of the 1995 report of the Secretary-General (A/50/726), a contribution of $3,200 was received from Greece and $1,080 was received from Cyprus for the International Law Fellowship Programme.

96. For the Geneva International Law Seminar, the Governments of the following countries made contributions in 1996: Cyprus $1,080, Denmark $12,527.21, Finland $5,441.77, Hungary $3,389.83, Iceland $1,000, Japan $20,000, Norway $5,000, and Switzerland $8,474.58. In 1997, the following countries made contributions: Denmark $10,902.58, Finland $5,048.81, Germany $11,065.82, Iceland $1,000, Norway $5,000, and Switzerland $10,344.

97. For the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea, in 1996 the Governments of the following countries made contributions: Cyprus $1,080, Sri Lanka $1,000, and United Kingdom $25,000. In 1997, the following countries made contributions: Cyprus $990, and Sri Lanka $1,000.

98. For the UNCITRAL symposia, the Governments of the following countries made contributions in 1996: France $26,574.59, Philippines $500, and Switzerland $39,709.30. In 1997, the Government of Switzerland made a contribution of $34,060.04.

99. No contributions were received during 1996-1997 for regional refresher courses.

B. Biennium 1998-1999

100. Assuming that the recommendations in paragraph 79 above regarding the provision of legal publications are adopted, the cost of handling and shipping the United Nations legal publications issued in 1998 and 1999 would be covered, as in previous years, by the estimates under the sections of the proposed programme budget for the biennium 1998-1999 relating to section 27 D, Support services, Distribution Section and Mail operations (see A/52/303, chap. II and annex I).

101. With regard to the provision of fellowships within the International Law Fellowship Programme during the biennium and possibly of travel grants for participants in regional refresher courses during 1998 or 1999, an amount of $334,900 is included in the proposed programme budget for the biennium 1998-1999,[32] under section 6 (Legal activities, progressive development and

codification of international law), assuming that the General Assembly approves the guidelines and recommendations on those programmes.

102. The Secretary-General would repeat his efforts, if the General Assembly so decides, in requesting voluntary contributions to the Programme. It is proposed that, as in past years, the funds accruing from such contributions have, as a main goal, subject to considerations of a practical nature, the increase of the number of fellowship grants to candidates from developing countries in addition to the minimum that would be authorized by the General Assembly under the appropriations from the regular budget.

V. MEETINGS OF THE ADVISORY COMMITTEE ON THE UNITED NATIONS PROGRAMME OF ASSISTANCE IN THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW

A. Membership of the Advisory Committee

103. In accordance with paragraph 17 of General Assembly resolution 50/43, the membership of the Advisory Committee for the period 1 January 1996 to 31 December 1999 is as follows: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Sudan, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States and Uruguay.

B. Consideration of the report by the Advisory Committee at its thirty-first and thirty-second sessions

104. In paragraph 16 of its resolution 50/43, the General Assembly requested the Secretary-General to report to the Assembly at its fifty-second session on the implementation of the Programme during 1996 and 1997.

105. As part of the preparation of the report requested under the above resolution, the Secretary-General prepared an interim report covering the activities carried out during 1996 by the various bodies that participated in the execution of the Programme, and a draft report covering the activities carried out in 1997.

106. At the thirty-first session of the Advisory Committee on 11 December 1996, the representatives of the following members of the Committee were present: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, Germany, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Pakistan, Portugal, Russian Federation, Sudan, Trinidad and Tobago, Ukraine, United States and Uruguay. The representative of the United Kingdom was granted permission by the Committee to participate as an observer. Representatives of UNESCO and the Division for Ocean Affairs and the Law of the Sea also attended. At the thirty-second session of the Advisory Committee, held on 16 October 1997, the representatives of the following members of the Committee were present: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Pakistan,

Portugal, Russian Federation, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States and Uruguay. Representatives of UNESCO and the Division for Ocean Affairs and the Law of the Sea also attended.

107. The thirty-first and the thirty-second sessions of the Advisory Committee were chaired by Mr. Eric Odoi-Amin (Ghana).

108. In the absence of the Legal Counsel of the United Nations, Mr. Roy S. Lee, Director of the Codification Division of the Office of Legal Affairs, represented the Secretary-General. Ms. Mahnoush H. Arsanjani, Senior Legal Officer, Codification Division of the Office of Legal Affairs, acted as Secretary of the Advisory Committee.

109. The Advisory Committee considered the Secretary-General's interim report for 1996 at its thirty-first session.

110. As regards the Geneva International Law Seminar, questions were raised concerning the selection process and the nationalities of the beneficiaries of the Seminar. The necessity of having interpretation services for the Seminar was emphasized, but at the same time concern was expressed over the Seminar's incurring any additional costs.

111. Concerning the section on the activities of the Office of Legal Affairs, interest was expressed in the activities connected with the Internet. The view was expressed that dissemination of information via the Internet was a cost-effective way of allowing a larger number of States to gain access to a variety of legal material. It was suggested that the information under the United Nations home page should be enhanced, and that more information on the Law of the Sea sub-site and on the GLIN project should be provided, which has been done.

112. Regarding the Hamilton Shirley Amerasinghe Memorial Fellowship, it was suggested that other avenues, other than UNDP field offices and United Nations information centres, be considered for the distribution of information on the fellowship, such as through the Ministries of Foreign Affairs. Questions were raised over the selection process connected with the UNCITRAL seminars and briefing missions, answers to which are provided in the appropriate section of the present report.

113. Several issues were raised concerning the International Law Fellowship Programme, including questions on the criteria applied in the selection of candidates. It was suggested that since one of the criteria was equitable representation of males and females, these statistics should be indicated in the report. In response to the question as to how the observers were selected, it was pointed out that they must meet the same qualifications as the other participants, but they must pay their own costs. In response to questions on why only scheme (c) of the Programme was used, it was explained that schemes (a) and (b) would entail greater costs. It was suggested that the subjects of intellectual property and peace-building be considered as seminar topics in the future.

114. Support was expressed for an audiovisual library. Several suggestions were made and have been incorporated into the text of the proposal contained in the annex to the present report.

115. The Advisory Committee considered the Secretary-General's draft report for 1997, section by section, and the discussions are summarized below. The Committee welcomed the style and the format of the report, which shorten the report, eliminating material that was reproduced elsewhere.

116. As regards the various fellowships under the Programme, some members of the Committee felt that the report should more clearly indicate the criteria for the selection of the fellows as well as the composition of the selection committees. The report has been accordingly amended. Concern was expressed that there were no candidates from some countries, or very few from certain regions, and that priority should, therefore, be given to those candidates. The Secretary of the Committee explained that the fact that a country had not been represented in a fellowship programme was duly taken note of by the selection committee. She further stated that any non-representation might be the result that very few candidacies meeting the requirements of the fellowships were submitted from less-represented areas.

117. The wish was also expressed that the courses and seminars associated with the fellowship programmes could be carried out in other languages other than in English and French, so as to permit wider participation.

118. It was noted that no regional refresher courses had been organized in 1996 and 1997 because of lack of funding, and it was questioned whether such courses were needed. The Secretary of the Committee explained that the courses were typically of a very short duration and were meant to function as a briefing on current information on a particular topic, or topics, and that under the current lean financial circumstances they were not given priority.

119. There was a good deal of discussion on the financing of the various programmes. It was noted that, under the International Law Fellowship Programme, because of financial constraints only scheme (c) was employed for the instruction of the fellows, and that ways should be found to offer the other schemes, which entailed more training but were more costly. Questions were raised as to whether other sources of funding for these fellowship programmes and the regional refresher courses could be explored, such as from private institutions, and even from individuals. The Director stated that this idea was being discussed with UNITAR, and it was up to the Committee members to support such alternative funding schemes. It was observed that any private funding obtained should be devoid of interference in the implementation of the programmes.

120. Concerning the Office of Legal Affairs internship programme, while it was recalled that interns bore all their expenses while serving with the Office, the question was raised as to the possibility of some kind of sponsorship of interns from developing countries. The Secretary of the Committee stated that the United Nations Office of Human Resources Management (OHRM) and the various substantive departments took geographical distribution into account, to the extent possible, in making intern selections. The Director added that efforts

were being made to tap into the graduate student population of New York's major law schools, which were comprised of students from around the world, in another attempt to diversify the Organization's interns.

121. The information contained in the draft report in the section on the electronic transmission of United Nations legal publications via the Internet was well received and was encouraged by the membership. The Director of the Codification Division commented that it was the intention of the Division to post more legal data onto the Internet.

122. UNITAR's Correspondence Instruction Programme in International Environmental Law was welcomed, and the suggestion was made that this type of programme should be monitored and evaluated for its usefulness. The Secretary of the Committee stated that this comment, as well as a request to expand the workshop on trade disputes to include more participants, would be passed on to UNITAR.

123. Interest was also expressed over UNESCO's Chairs on human rights, democracy and peace. The representative from UNESCO explained that the Chairs were the result of a decision taken in 1991, and there were currently 25 such Chairs. She further explained that while UNESCO tried to have a regional balance among the Chairs, it only acted upon requests which had been evaluated, including as to the availability of co-financing for the establishment of the Chair at a particular university, as UNESCO only provided the seed money.

124. As regards section III of the draft report on the guidelines and recommendations regarding execution of the programme in the biennium 1998-1999, support was expressed for changing the International Law Fellowship Programme seminars from bilingual to monolingual sessions to reduce costs. It was noted, however, that such an arrangement would lessen the cross-cultural exchange between the two language groups. The Advisory Committee adopted the guidelines and recommendations on future implementation of the Programme contained in section III.

125. The proposal for the United Nations Audiovisual Library was approved by the Committee members. In response to several questions, the Secretary of the Committee stated that planning for the library was at a very preliminary stage, that the list of topics of the library tapes in the report was only a working list and it was intended to collect the tapes in as many United Nations official languages as possible. It was suggested that perhaps guidelines for library users should be created and submitted to the Committee membership next year.

126. Regarding section IV on the administrative and financial implications of United Nations participation in the Programme, there was strong protest by the Committee members against the reduction of the Programme's budget for the 1998-1999 biennium (from $358,200 to $334,900), which was felt to have been at a minimum level before the decrease. The view was expressed, moreover, that there had been no justification for the decrease. Suggestions were made that the matter of the Programme budget should be taken up in the Fifth and Sixth Committees, and that alternatives should be explored to increase voluntary contributions. At the same time, gratitude was expressed to those Governments which had made voluntary contributions to the Programme.

Notes

[1] The Programme has been continued under relevant resolutions annually until 1971 and biennially thereafter: resolutions 2204 (XXI) of 16 December 1966, 2313 (XXII) of 14 December 1967, 2464 (XXIII) of 29 December 1968, 2550 (XXIV) of 12 December 1969, 2698 (XXV) of 11 December 1970, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 34/144 of 17 December 1979, 36/108 of 10 December 1981, 38/129 of 19 December 1983, 40/66 of 11 December 1985, 42/148 of 7 December 1987, 44/28 of 4 December 1989, 46/50 of 9 December 1991, 48/29 of 9 December 1993 and 50/43 of 11 December 1995. Information concerning action taken under the Programme in previous years is contained in the following reports of the Secretary-General to the General Assembly: Official Records of the General Assembly, Twenty-first Session, Annexes, agenda item 86, document A/6492 and Add.1; ibid., Twenty-second Session, Annexes, agenda item 90, document A/6816; ibid., Twenty-third Session, Annexes, agenda item 89, document A/7305; ibid., Twenty-fourth Session, Annexes, agenda item 91, document A/7740; ibid., Twenty-fifth Session, Annexes, agenda item 90, document A/8130; ibid., Twenty-sixth Session, Annexes, agenda item 91, document A/8505 and Corr.1 and 2; ibid., Twenty-eighth Session, Annexes, agenda item 98, document A/9242 and Corr.1; ibid., Thirtieth Session, Annexes, agenda item 117, document A/10332; ibid., Thirty-second Session, Annexes, agenda item 114, document A/32/326; ibid., Thirty-fourth Session, Annexes, agenda item 111, document A/34/693; ibid., Thirty-sixth Session, Annexes, agenda item 113, document A/36/633; ibid., Thirty-eighth Session, Annexes, agenda item 122, document A/38/546; ibid., Fortieth Session, Annexes, agenda item 128, document A/40/893; ibid., Forty-second Session, Annexes, agenda item 127, document A/42/718; ibid., Forty-fourth Session, Annexes, agenda item 138, document A/44/712; ibid., Forty-sixth Session, Annexes, agenda item 124, document A/46/610; A/48/580; and A/50/726.

[2] See General Assembly resolution 44/23, preamble and paras. 1 and 2 (d). The programmes for the activities commenced during the first (1990-1992), second (1993-1994), and third (1995-1996) terms of the decade are annexed to General Assembly resolutions 45/40 of 28 November 1990, 47/32 of 25 November 1992 and 49/50 of 9 December 1994, respectively.

The Codification Division services the Working Group of the Sixth Committee on the Decade and has been involved in the preparation of the annual reports of the Secretary-General on the subject.

[3] Official Records of the General Assembly, Fifty-first Session, Supplement No. 10 (A/51/10), para. 260.

Each year, the Director of the Seminar designates the members to serve on the Selection Committee, i.e., four members, representing four different regions, from among legal officers within various departments of the United Nations Office at Geneva. The chairmanship of the Selection Committee is traditionally given ad honorem to an independent personality from the academic world, usually a professor of international law of the Graduate Institute of International Relations in Geneva.

The Director of the Seminar acts as the Secretary to the Selection Committee.

[4] Ibid., Fifty-second Session, Supplement No. 10 (A/52/10), para. 248.

[5] Ibid., Fifty-first Session, Supplement No. 10 (A/51/10), paras. 262-264; and ibid., Fifty-second Session, Supplement No. 10 (A/52/10), paras. 250-251.

[6] Ibid., Fifty-second session, Supplement No. 10 (A/52/10), para. 256.

[7] Ibid., para. 257.

[8] Ibid., Fifty-first Session, Supplement No. 10 (A/51/10), para. 270, and ibid., Fifty-second Session, Supplement No. 10 (A/52/10), para. 258.

[9] The Selection Committee consists of senior officials from the Office of Legal Affairs and UNITAR, and is chaired by the United Nations Legal Counsel.

[10] Up to 1992, the operational costs of the Programme were shared between the Office of Legal Affairs and UNITAR. The fellowships themselves (travel expenses and per diem) were financed partly from the budgetary allocation for the Programme of Assistance and partly from a trust fund of voluntary contributions earmarked for the Programme, whereas the expenses related to organizational staff and lecturers were borne by UNITAR. In 1993, however, the General Assembly, in paragraph 5 of its resolution 47/227 of 8 April 1993, decided that the funding of training programmes held at the specific request of States Members of the United Nations and members of other United Nations system organs and specialized agencies should be arranged by the requesting parties. On the basis of that paragraph, all aspects of the International Law Fellowship Programme, including expenses related to organizational staff and lecturers, had to be financed by the Office of Legal Affairs. As a result, most of the budgetary allocation for the Programme of Assistance went to cover the costs of the Fellowship Programme.

[11] One candidate was unable to participate owing to hospitalization and the other could not obtain her visa for the Netherlands. It was too late to replace these candidates.

[12] Under the programme on private international law, the following courses were offered:

(a) General course: A comparative critique of contemporary approaches and practices (A. T. von Mehren, Professor at Harvard University);

(b) Facultative choice of law: The procedural status of choice-of-law rules (T. M. de Boer, Professor at the University of Amsterdam);

(c) North American Free Trade Agreement (A. L. C. de Mestral, Professor at McGill University);

(d) Law applicable to independent bank guarantees (O. Elwan, Professor at the University of Heidelberg);

(e) Arbitrators and the international conventions (P. Fouchard, Professor at the University of Paris II);

(f) Movable property in private international law (K. Kreuzer, Professor at the University of Würzburg);

(g) A common inheritance? An examination of the private international law tradition of the Commonwealth (D. McClean, Professor at the University of Sheffield);

(h) Citizenship of the European Union, nationality and the status of aliens (E. Perez Vera, Professor at the Universidad Nacional de Educación a Distancia).

[13] In 1996, the following conducted the Hague special seminars: Ms. Laurence Boisson de Chazournes, Legal Department, World Bank, Washington, D.C.; Ms. Véronique Brion, External Relations Officer, International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991; Mr. Philippe Couvreur, Secretary of the International Court of Justice, The Hague; Ms. Yolande Diallo, Chief, Information, Publications and External Relations, Centre for Human Rights, Geneva; Mr. Stéphane Doumbé-Bille, Professor of Law, University of Limoges, France; Mr. Duy, Hague Conference on Private International Law; Mr. Jeffrey Gertler, Senior Counsellor, Legal Affairs Division, World Trade Organization, Geneva; Mr. Hans Jonkman, Secretary-General, Permanent Court of Arbitration, The Hague; H.E. Mr. Abdul G. Koroma, Judge at the International Court of Justice; Ms. Véronique LeBlanc, Refugee Law Training Officer, Regional Office for the Benelux Countries and the European Institutions, Office of the United Nations High Commissioner for Refugees, Brussels; Mr. Nasser Ali Mansourian, Legal Adviser, Iran-United States Claims Tribunal, The Hague; Ms. Gabrielle Marceau, Legal Affairs Officer, Legal Affairs Division, World Trade Organization, Geneva; Mr. Theodor Meron, Charles L. Denison Professor of Law, School of Law, New York University, New York; Mr. Allahyar Mouri, Legal Officer, Iran-United States Claims Tribunal, The Hague; Mr. Pélichet, Lawyer, Hague Conference on Private International Law; Mr. Toni Pfanner, Director of the Legal Division, International Committee of the Red Cross, Geneva; Mr. Nico Schrijver, Senior Lecturer in International Law, Institute of Social Studies, The Hague; Ms. Bette Shifman, First Secretary, Permanent Court of Arbitration, The Hague; Mr. Tullio Treves, Professor of International Law, Institute of International Law, University of Milan, Italy; Mr. Arthur Witteveen, Secretary of the International Court of Justice, The Hague; and Mr. Abdulquawi A. Yusuf, Director, Legal Services and Legal Adviser, United Nations Industrial Development Organization, Vienna.

[14] Under the programme on private international law, the following courses were offered:

(a) General course: Stability and change in the method of conflicts of laws at the end of the twentieth century (G. Foyer, Professor at the University of Paris II);

(b) Conflicts of laws with respect to restrictions on competition (J. Basedou, Professor at the Free University of Berlin);

(c) Regulatory federation: European Union and United States (G. Bermann, Professor at Columbia University);

(d) Legal Aspects of International Monetary Obligations (M. Giovanoli, Professor at the University of Lausanne);

(e) Mandatory rules and international contracts (T. C. Hartley, Professor at the London School of Economics and Political Science);

(f) Modern trends in enforcement proceedings: comparative aspects of recent codifications and case-law (K. D. Kerameus, Professor at the University of Athens);

(g) The Rights of the child under international conventions and the solutions adopted in Arab-Islamic countries (A. Moulaf Rehid, Professor at the University of Rabat);

(h) Questions of procedure in the courts of the European Union (R. Plender, Professor at the University of London).

[15] In 1997 the following conducted the Hague Special Seminars: Mr. Rafaa Ben Achour, Secretary General, International Academy of Constitutional Law, and Professor, Faculty of Law, Social and Political Sciences, University of Tunis; Ms. Laurence Boisson de Chazournes, Legal Department, the World Bank, Washington; Ms. Valérie Brion, International Tribunal for the former Yugoslavia, The Hague; Mr. Philippe Couvreur, International Court of Justice, The Hague; Mr. Emmanuel Decaux, Professor of Public Law and Director, National Law Centre, University of Paris X-Nanterre; Mr. P. J. H. Jonkman, Secretary-General, Permanent Court of Arbitration, The Hague; Ms. Catherine Kessedjian, Professor, Hague Conference on Private International Law, The Hague; Ms. Véronique Latin Le Blanc, UNHCR, Regional Office for America, Buenos Aires; Mr. Roy S. Lee, Director, Codification Division, United Nations Office of Legal Affairs, New York, and Secretary of the International Law Commission; Mr. Nasser Ali Mansurian, Legal Advisor, United States-Iran Claims Tribunal, The Hague; Ms. Gabrielle Marceau, Legal Affairs Division, World Trade Organization, Geneva; Mr. Allahyar Mouri, United States-Iran Claims Tribunal, The Hague; Mr. Toni Pfanner, Director of the Legal Division, International Committee of the Red Cross, Geneva; Mr. Nico Schrijver, Senior Lecturer in International Law, Institute of Social Studies, The Hague; Ms. Marina Spinedi, Professor of Law, University of Florence; Mr. Guy Stessens, Lecturer, University of Antwerp; Mr. Sompong Sucharitkul, Associate Dean and Distinguished Professor of International and Comparative Law, Golden Gate University, San Francisco; Mr. Attila Tanzi, Adjunct Professor of Diplomatic and Consular Law, University of Florence, Italy and External Consultant to the Italian Ministry of Foreign Affairs; Ms. Christine Van Den Wyngaert, Professor of Law, University of Antwerp; Mr. J. H. A. Van Loon, Secretary General, Hague Conference on Private International Law, The Hague; Mr. Siegfried Wiessner, Professor of Law, St. Thomas University, Miami; and Mr. Arthur Witteveen, International Court of Justice, The Hague.

[16] Official Records of the General Assembly, Fifty-first Session, Supplement No. 10 (A/51/10).

[17] The Global Legal Information Network (GLIN) was established and is maintained by the United States Law Library of Congress. At present, this database contains national laws of more than 35 countries, with additional countries being added on a continuing basis. It consists primarily of searchable legal abstracts in English of laws and regulations enacted since 1976, but the full texts of legislation in the original languages are now being added for some States. GLIN may be accessed in the Dag Hammarskjöld Library.

[18] For a discussion on how the fellowship became integrated into the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, see A/36/633, paras. 55-57 and 84-86.

The late Ambassador Hamilton Shirley Amerasinghe of Sri Lanka was Chairman of the Ad Hoc Committee to Study the Peaceful Uses of the Seabed and Ocean Floor from 1967 to 1970, and subsequently of the Standing Committee for the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction, from 1970 to 1973. Thereafter, he was President of the Third United Nations Conference on the Law of the Sea, from its inception in 1973 until his death in 1980. The General Assembly established a fellowship in his memory to mark his outstanding contribution to the work of the Conference (see General Assembly resolutions 35/116 of 10 December 1980 and 36/108 of 10 December 1981).

[19] The Advisory Panel is composed of eight eminent persons in international relations and the law of the sea, nominated by the Legal Counsel. It comprises representatives of permanent missions to the United Nations, representatives of educational institutions or organizations of an international character and individuals closely associated with the work of the Third United Nations Conference on the Law of the Sea and with the United Nations Convention on the Law of the Sea and its implementation.

[20] The interest on the capital of the fellowship in 1995 was insufficient to grant a fellowship. The grant by the United Kingdom made it possible to award a fellowship for that year.

[21] The recipient of the award was unable to use the award for several reasons and there was not enough time to select another candidate.

[22] Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 17 (A/36/17), para. 109.

[23] Detailed activities of UNCITRAL and its secretariat in training, including the list of the seminars and symposia for 1996 and 1997 are contained in Official Records of the General Assembly, Fifty-first Session, Supplement No. 17 A/51/17), paras. 248-254 and ibid., Fifty-second Session, Supplement No. 17 (A/52/17), paras. 264-271. The selection of the location of seminars requests from Governments are evaluated by the Trade Law Branch on the basis of such criteria as urgency, proposed programme and geographical diversity.

[24] Such organizations and institutions include: Arab Commission for International Law, Asian-African Legal Consultative Committee, European Committee on Legal Cooperation, Inter-American Juridical Committee, Commission of the European Communities, the Hague Conference of Private International Law, International Institute for the Unification of Private Law, Organization of American States, the Hague Academy of International Law, European Community, Latin American Economic System, League of Arab States and Organization of African Unity.

[25] Consistent with the wishes of the Member States, the Treaty Section has provided on-line access to the Multilateral Treaties deposited with the Secretary-General since 1995 and to the United Nations Treaty Series since June 1997. The Multilateral Treaties deposited with the Secretary-General provides information on the status of 486 major multilateral instruments deposited with the Secretary-General (as of 1 July 1997). The status of these instruments evolves constantly as Member States sign, ratify, accede, make declarations, reservations, objections, etc. Since June 1997, about 30,000 treaties and subsequent actions published in over 1,450 United Nations Treaty Series volumes have also been made available on-line. Access is being provided to the collection in image format, through a user-friendly search mechanism allowing user's multiple search options (by name of participants, subject matter, title, date, etc.). New volumes of the Treaty Series are added to the Internet version as soon as they are published and scanned. The League of Nations Treaty Series with its index along with the Cumulative Index to the United Nations Treaty Series will also be made available through the Internet in 1997. Access is free of charge pending the implementation of a user fee by the Sales Section. Both publications can be found on the same Internet site. (Address: www.un.org/Depts/Treaty). They will also continue to be published in hard copy.

[26] It will be completed by February 1998.

[27] The awards relate to the following: (a) Case concerning the location of boundary markers in Taba between Egypt and Israel; (b) Case concerning the delimitation of maritime boundary between Guinea-Bissau and Senegal; and (c) Case concerning the difference between New Zealand and France concerning the interpretation or application of two agreements, concluded on 9 July 1986 between the two States, relating to the problems arising from the Rainbow Warrior affair.

[28] United Nations publication, Sales No. E.96.V.7 (English only).

[29] The decision concerning the UNESCO Chairs Programme was taken at the twenty-sixth session of the General Conference in 1991. The Programme is designed to develop university networking and linking arrangements among institutions of higher education at the inter-regional, regional and subregional levels. It focused on promoting graduate studies, research and education in various fields. To date about 350 Chairs in the natural and social sciences, communications and information, education and culture, etc. have been established.

Twenty-five Chairs have been established in the fields of human rights, democracy, peace and tolerance. Their main aim is to promote respect for human rights, democracy and peace by means of education and research. These UNESCO Chairs play an active role in upgrading the knowledge of basic values of human rights, democracy and peace at the university level and at the same time serve as focal points for promoting education for peace, tolerance and international understanding at all educational levels. They all deal with the issues of international law through research and education projects linked with international human rights law and international humanitarian law. The Chairs have been established in all regions: 11 in Europe (Belarus, Bulgaria, Georgia, Greece, Poland, Russian Federation, Slovakia, Spain), 7 in Africa (Algeria, Benin, Ethiopia, Madagascar, Morocco, Namibia, South Africa), 4 in Latin America and the Caribbean (Argentina, Brazil, Colombia, Mexico), and 3 in Asia (Jordan, Palestinian Authority and Republic of Korea). UNESCO cooperates closely with the Chairs, contributes to their activities and encourages cooperation between them. The chairholders are regularly invited to annual meetings of directors of human rights institutions (organized annually at UNESCO headquarters in Paris). A special meeting of UNESCO chairholders will be organized in 1998 in order to strengthen cooperation between them and to increase their contribution to the activities commemorating the fiftieth anniversary of the Universal Declaration of Human Rights.

[30] For the report of the fifty-first session, see document A/51/278, chapter II.D, and of the fifty-second session, see document A/52/363, chap. IV.

[31] Official Records of the General Assembly, Fiftieth Session, Supplement No. 6 (A/50/6/Rev.1), vol. I.

[32] Ibid., Fifty-second Session, Supplement No. 6 (A/52/6/Rev.1), vol. I.

Annex

UNITED NATIONS AUDIOVISUAL LIBRARY IN INTERNATIONAL LAW

A. The underlying concern and purpose

1. The idea for the establishment of an audiovisual library grew out of the following concerns:

(a) Owing to financial constraints under which the Organization is now operating and the reduction in voluntary contributions, the various training courses and seminars of the Programme of Assistance have been substantially reduced, while demands for participation in the Programme have increased;

(b) There is a need to consider other kinds of services that may be offered to law schools in developing States, such as assistance in setting up teaching programmes and providing professors to teach at those law schools, with their salaries being paid by the Programme;

(c) The Secretary-General is expected to initiate new activities for the Programme;

(d) With the advancement of technology and its potential applications in teaching and training, the possibilities of providing international law materials, courses and seminars on various subjects of international law through audiovisual tapes should be explored. The advantage of such tapes is that they can be distributed widely to many countries at the same time and repeatedly. Indeed, certain institutions working in the field may have in their possession tapes of proceedings of conferences, seminars or lectures. A collection of such existing tapes would be useful. Depending on the nature of the tapes, they could be used for teaching purposes at the universities, or used by ministries of foreign affairs and justice for training purposes. An audiovisual library could prove to be an asset to the Programme and an effective instrument for teaching, dissemination and wider appreciation of international law.

B. Collection of audiovisual tapes

2. The library will collect audiovisual tapes or materials of a similar nature (e.g. CD-ROM) on subjects of international law that are made available or donated to it. These will include: (a) seminars, conferences or colloquiums on tapes produced by institutions or individuals on subjects of international law; documentaries on the work of relevant institutions (e.g. the United Nations, the International Court of Justice, the United Nations Compensation Commission, the Yugoslavia and Rwanda Tribunals, etc.) should also be collected; (b) tapes and CD-ROM containing material designed specifically for teaching courses in international law.

3. The following steps will be taken:

(a) Selecting and compiling, from the collection of the Audiovisual Section of the Office of Communications and Public Information, a list of tapes on subjects that may be relevant to the teaching of international law;

(b) Contacting institutions involved in international law and well-known experts in the field of international law to see whether they have in their possession tapes useful to the library and whether they could donate them to the library;

(c) Exploring the availability of facilities and funds for taping experts invited to lecture on camera for the library. A trust fund to receive voluntary contributions may be established for this purpose.

4. On the basis of (a) and (b) above, a catalogue will be prepared according to subject matter, with a brief indication of the contents of the tapes. This catalogue will then be distributed to potential users and will be revised on a regular basis.

5. With respect to (c), the assistance of the United Nations Office of Communications and Public Information will be sought for taping selected lectures at the United Nations facilities. In cooperation with institutions and universities, lectures and courses by invited experts and professors may also be videotaped specifically for the library.

6. The results of the above efforts will be reported to the Advisory Committee.

C. Subject matter of the tapes

7. The materials collected for the library could be arranged under the following headings:

- General courses on international law;
- United Nations law or the law of international organizations;
- Law of the sea;
- Settlement of disputes;
- International arbitration;
- Dispute settlement procedure of the World Trade Organization;
- International humanitarian law;
- Refugee law;
- Environmental law;

- Outer space law;
- Air law;
- Maritime law;
- Human rights law;
- Law of treaties;
- Diplomatic and consular law;
- International trade law;
- International criminal law;
- International law relating to development;
- Preventive diplomacy, peacekeeping and peacemaking;
- Copyright law;
- Jurisprudence;
- International taxation, etc.;
- Compensation and damages;
- Relationship between international law and national law.

8. The above is a provisional and a working list.

D. Method of distribution

9. The audiovisual tapes collected will be held in the audiovisual library to be located, for the present, in the Codification Division. States and their educational institutions would be able to borrow them or to make a copy of them to use for their own teaching purposes. Appropriate arrangements will be made regarding the question of copyright (see sect. F below).

10. The audiovisual library will maintain a certain number of copies of each tape, depending upon the cost of reproduction of tapes and the budget of the library.

11. The library will be open to all States and their educational institutions.

E. Budget of the audiovisual library

12. There is at present no budget for the library. The Codification Division will undertake the implementation within its existing resources. The needs of the audiovisual library may be included in the annual circular note of the Secretary-General requesting financial assistance for different components of the Programme as one of the items for which States, their institutions or private individuals may wish to make voluntary contributions in monetary terms or in kind (tapes, equipment, etc.).

13. The Codification Division will make every effort to enlist the cooperation of institutions, universities and leading professors and scholars to encourage them to donate such audiovisual tapes to the United Nations at no cost to the Organization.

F. Copyright

14. The copyright of audiovisual tapes should either be assigned to the United Nations, or the United Nations should be given the right, by those who hold the copyright of the tapes, to use the tapes for purposes of the library as defined and in the manner chosen by the United Nations and to hold the United Nations harmless for such uses. Once a donor is identified, the question of copyright should be discussed in more detail depending upon the conditions that a donor may wish to attach to the tape.

15. When copyrighted materials are used in the preparation of audiovisual tapes, the consent of the copyright holders of those materials should be obtained by the donors of the tapes for the purposes referred to in paragraph 14 above.

G. Plan of action

16. The following steps will be taken:

(a) A provisional working list of institutions and individuals active in the field of international law will be prepared. This is a working list, and other names will be added to it as the project evolves. The Secretariat will add other names that may be brought to its attention;

(b) A letter by the Legal Counsel should be sent to the institutions and individuals identified in the list announcing the project and inviting them to donate or make available to the library tapes in their possession which could be useful for the library;

(c) Invited experts and professors may be taped at the United Nations or other institutions, wherever possible;

(d) Contacts should be made with institutions sponsoring ad hoc conferences or seminars which might be videotaped for the library;

(e) Letters addressed to experts in developed States and major universities should also inquire if the institutions affiliated with the lecturers would be in a position to videotape the lectures for the library;

(f) Letters which do not fall under (e) above would inquire whether the invitees would be interested in having their lectures taped for the library. They would be requested to contact the Codification Division and to see how that could best be done;

(g) An initial meeting was held between the Office of Communications and Public Information and the Division on the question of taping. The Office was positive and promised cooperation to the extent its resources would permit. It was agreed to maintain contact between the Office and the Division. Further concrete arrangements are to be made by the Division;

(h) The tapes could be stored in the Codification Division. The Division could also function as the depositary and the distributer of the tapes. If the library proved to be a major operation, then the Division should consider other alternatives.

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Agenda item 20 (b)

STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE: SPECIAL ECONOMIC ASSISTANCE TO INDIVIDUAL COUNTRIES OR REGIONS

Emergency assistance to the Sudan

Report of the Secretary-General

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I. INTRODUCTION

1. In its resolution 51/30 I of 17 December 1996, on emergency assistance to the Sudan, the General Assembly, inter alia, noting the declining contributions to the 1996 United Nations consolidated inter-agency appeal for Operation Lifeline Sudan despite progress made in the Operation, and noting also that considerable relief needs still remained to be addressed, in particular in the areas of non-food assistance, acknowledged with appreciation the cooperation by the Government of the Sudan with the United Nations and encouraged the continuation of that cooperation. The Assembly stressed the need for Operation Lifeline Sudan to be operated with a view to ensuring its efficiency, transparency and effectiveness, with the full participation of the Government of the Sudan in its management and operation. It stressed also the importance of assuring safe access to personnel providing relief assistance to all in need, and the importance of strict observance of the principles and guidelines of Operation Lifeline Sudan. In that connection, the Assembly urged all parties involved to continue to offer all feasible assistance, including facilitating the movement of relief supplies and personnel, so as to guarantee maximum success of Operation Lifeline Sudan in all affected parts of the country.

2. In the same resolution, the General Assembly requested the Secretary-General to continue to mobilize and coordinate resources and support for Operation Lifeline Sudan and to report on the emergency situation in the affected areas and the recovery, rehabilitation and development of the country to the Assembly at its fifty-second session. The present report has been prepared in response to that request and covers the period October 1996-July 1997.

II. CURRENT SITUATION IN THE SUDAN

3. Efforts were made during the reporting period by several of the parties to find peaceful solutions to the ongoing civil conflict in the Sudan. In spite of those efforts, however, fighting among the warring parties intensified, further destabilizing and degrading the lives of millions of Sudanese civilians. This has further exacerbated the humanitarian crisis, putting intense pressure on millions of people already living below subsistence levels. Widespread malnutrition and a spread in infectious diseases continued to affect populations at risk, especially those displaced by war. In addition, large parts of northern Sudan suffered extensive drought, placing more than two million Sudanese at risk of serious hunger.

4. The main constraints limiting relief efforts under Operation Lifeline Sudan related to restrictions imposed by one or more of the parties as well as funding shortages. In areas where relief aid was obstructed or reduced, there has been a depletion of assets, leaving entire communities without livestock, grain stocks or tradeable goods. The long-term trend towards disintegration of communal networks in war-affected areas throughout the south of the country and the transitional zone accelerated, raising the prospect of more internal displacement in a country which has the largest population of internally displaced persons in the world. The ability of at-risk populations to rely on

traditional coping mechanisms in order to survive can no longer be taken for granted. At this stage, the only way to prevent the onset of a life-threatening, uncontrollable humanitarian disaster is to increase urgently the levels of relief assistance and ensure adequate access to at-risk populations.

5. Although the number of locations accessible per month by air for humanitarian assistance showed a significant improvement in terms of overall programme impact, United Nations humanitarian efforts through Operation Lifeline Sudan continued to be severely constrained by the restrictions placed by the Government of the Sudan on the flow of relief assistance to populations in need. Restrictions on air and river access, suspension of Operation Lifeline Sudan flights, refusal to allow the use of Hercules C-130 aircraft, denial of permits to international staff to travel to Government locations in the south and the confiscation by Government security personnel of communications equipment significantly impeded the flow of relief assistance to at-risk populations in war-affected areas.

6. In June and July 1997, the situation improved when flight denials were reduced to 4 and 8 locations, respectively, from an average during the reporting period of 17 per month. Three barge convoys also received clearances in July from both the Government and rebel movements. In addition, an April and May suspension of the use of Hercules C-130 aircraft was lifted in mid-June 1997.

7. The outbreak of hostilities on the eastern border of the Sudan in January 1997 made it necessary to provide relief to new populations. Attempts by Operation Lifeline Sudan to conduct a needs assessment there were inhibited by the Government which, although it allowed the United Nations and international non-governmental organizations to visit Government areas some two months after the initial request, refused to give clearance for a United Nations team to visit areas newly occupied by the rebels.

8. In January 1997, the Sudanese People's Liberation Army (SPLA) launched a major offensive that began in southern Blue Nile state and by the end of July 1997 had reached Terekeka, 50 kilometres north of Juba on the Nile. The SPLA offensive forced thousands of displaced civilians to flee to Government locations. At the same time, tens of thousands of Sudanese refugees returned from their camps in northern Uganda to areas newly captured by SPLA. The intensification of the conflict led to an increase in restrictions on Operation Lifeline Sudan activities, including the unprecedented number of denied flight locations by both the Government and SPLA.

9. In retaliation for government restrictions, the Sudanese People's Liberation Movement (SPLM) continued the practice, begun in 1996, of imposing its own flight bans on a limited number of locations. This further constrained the ability of Operation Lifeline Sudan to meet the needs of at-risk populations in conflict zones.

10. Operation Lifeline Sudan has attempted to reach 4.2 million target beneficiaries in southern Sudan, the transitional zone and the camps of displaced persons at Khartoum with food and non-food relief assistance. Although access restrictions and a severely reduced funding base inhibited

programme expansion, Operation Lifeline Sudan had notable achievements, including the increased use of overland routes for non-food items which led to improved cost-efficiency and a strengthening of programme monitoring. United Nations agencies and non-governmental organizations were able to rapidly respond to a series of life-threatening emergencies in southern Sudan.

11. The indiscriminate bombing of civilian populations by government aircraft continued throughout the reporting period. From August 1996 to July 1997, there were confirmed reports of 56 separate bombings of civilians in 30 locations. In the most serious incident, a village in Western Equatoria was strafed by helicopter gunships, killing 6 villagers, injuring 41 and destroying 30 houses and 2 churches. In another incident, aircraft bombed the displaced persons camp at Labone in Eastern Equatoria, wounding 10.

12. Relief personnel were detained and taken hostage by warring parties on several occasions during the reporting period. The most serious incident occurred in November 1996 when three expatriate staff of the International Committee of the Red Cross (ICRC) and five war-wounded who had been discharged from the ICRC Lopiding hospital were taken hostage at Wunrok in Bahr el-Ghazal by forces loyal to Kerubino Kwanyin Bol. On 8 December 1996, after five weeks of detention, the three international staff were finally released. The activities of ICRC were suspended in the country at the time of the incident. They remain suspended and will resume only when the accusation levelled against ICRC, that the aircraft transporting the relief workers and war-wounded was carrying weapons and ammunition, is lifted.

13. United Nations agencies involved in Operation Lifeline Sudan embarked on major reforms during the reporting period as a result of the review of Operation Lifeline Sudan, which was presented in September 1996 to the Government, southern factions, donors and United Nations agencies during a series of meetings organized at Geneva by the Department of Humanitarian Affairs of the United Nations Secretariat. The review represented the first independent analysis of Operation Lifeline Sudan in its then-seven year history. To date, more than half of the 26 general recommendations arising from the review have been implemented. Reforms included the introduction of cost-sharing at the Lokichokio base camp in northern Kenya; the transfer of the United Nations Humanitarian Coordination Unit from the United Nations Development Programme (UNDP) to the Department of Humanitarian Affairs; the creation of several new management posts in the Operation Lifeline Sudan southern sector as well as within the United Nations Humanitarian Coordination Unit; harmonization of Operation Lifeline Sudan assessment methodologies; and the introduction in the Operation Lifeline Sudan northern sector of an integrated programme for internally displaced persons aimed at improving field coordination and protection. In addition, the International Advisory Committee on Operation Lifeline Sudan was formed with the aim of maintaining support for its activities through regular and periodic consultations. The Advisory Committee, which met twice during the reporting period, will continue to hold meetings twice a year.

14. During the previous reporting period, several major donors announced the withholding of contributions pending the findings of the Operation Lifeline Sudan review. Despite the management and programme reforms implemented by the United Nations as a result of the review, donor support for assistance

programmes in the Sudan improved only slightly, resulting in a major shortfall in financial resources. By mid-July 1997, only US$ 26.1 million, or 21.6 per cent, of the US$ 120.8 million requested by the Department of Humanitarian Affairs in the 1997 consolidated inter-agency appeal for the Sudan had been received. The reduced funding base of the United Nations limited the ability of Operation Lifeline Sudan to fulfil its mandate. Furthermore, the noticeable deterioration in the delivery of services led to declining confidence among the humanitarian partners of Operation Lifeline Sudan in its continued viability.

15. In September 1996, Vieri Traxler resigned as the Special Envoy for Humanitarian Affairs to the Sudan. He was succeeded in April 1997 by Robert van Schaik who undertook his first mission to the Sudan and to Kenya in June 1997. During his visit, the Special Envoy received commitments from the Government and southern factions to improve the operating environment for the humanitarian agencies.

16. The Sudan Peace Agreement signed between the Government and the former rebel movements of the South Sudan Independence Army/Movement (SSIA/M), the Sudanese People's Liberation Army-Bahr el-Ghazal (SPLA-BaG) and some other minor factions, which joined together into the new United Democratic Salvation Front (UDSF), was enacted into law via a constitutional decree in July 1997. The decree created a coordinating council to administer southern Sudan during a four-year interim period, after which there will be a referendum on self-determination. This development raises the prospect of the large-scale return of displaced populations to areas under the control of UDSF, including Upper Nile and Jonglei. However, SPLA, the largest rebel faction, did not enter into negotiations on the Peace Agreement.

17. Efforts sponsored by the Intergovernmental Authority on Development (IGAD) (formerly known as the Intergovernmental Authority on Drought and Development (IGADD)) to find a solution to the conflict in the Sudan made progress at the IGAD Summit meeting held in July 1997 when the Government of the Sudan accepted the 1994 Declaration of Principles as a basis for discussions and negotiations with SPLA. This development represented a step forward in reaching a set of mutually agreeable terms for negotiations. The Summit meeting requested the chairman of the IGAD peace initiative, as well as the parties to the conflict, to undertake measures conducive to an early resumption of negotiations.

18. In February 1997, UNDP established a conflict resolution and post-conflict recovery programme with the approval of both the Government and SPLA. The aim of the programme is to use the technical assistance provided by United Nations agencies as an instrument for conflict resolution. In July 1997, the Mine Clearance and Policy Unit of the Department of Humanitarian Affairs sent an assessment team to Khartoum and Nairobi in response to a request by the Government to explore the technical aspects of a possible mine action programme. Decisions on the programme will be taken after the mission issues its final report in October 1997.

III. EMERGENCY OPERATIONS AND OPERATION LIFELINE SUDAN

A. General

19. Despite the constraints faced by the humanitarian agencies, Operation Lifeline Sudan and partner non-governmental organizations reduced the risk of widespread hunger in war and drought-affected areas, delivering 55,013 metric tonnes of food between August 1996 and June 1997 to approximately 2 million beneficiaries. Operation Lifeline Sudan agencies also supported and coordinated a wide range of relief and rehabilitation activities in the sectors of primary health care, household food security, livestock health, water and sanitation, emergency education, children in especially difficult circumstances, gender and development, capacity-building, humanitarian principles and child rights. In support of these projects, 2,643 metric tonnes of relief supplies were delivered from the Operation Lifeline Sudan base at Lokichokio, as well as another 1,426 metric tonnes of United Nations Children's Fund (UNICEF) supplies from Khartoum.

20. As in the past, Operation Lifeline Sudan continued to be supported through the United Nations Humanitarian Coordination Unit at Khartoum. The Unit was pivotal in the collection and dissemination of information about the humanitarian crisis to donors, participating agencies and governmental counterparts. The Unit also facilitated inter-agency operations and was responsible for monitoring the situation of displaced persons throughout the Sudan. The United Nation's Children's Fund continued its coordination and facilitation role as lead agency for the Operation Lifeline Sudan southern sector.

B. Political and military developments affecting humanitarian relief efforts

21. General insecurity seriously affected areas with large concentrations of at-risk populations, especially northern Bahr el-Ghazal, northern Jonglei and eastern Upper Nile. The spread of the conflict put new populations at risk at the same time that security-related incidents resulted in major setbacks for ongoing relief projects.

22. In the Equatoria region, the Government captured Loronyo from SPLA in September 1996. Small-scale skirmishes continued in the region until January 1997, when SPLA, as part of a major offensive, captured a string of strategic towns south of Juba. Thousands of Sudanese fled to Juba and surrounding Government locations. At the same time, tens of thousands of Sudanese refugees returned to the Yei and Kajo Keji areas from camps in northern Uganda. During the second half of 1996, thousands of Sudanese refugees fleeing the conflict in the former Zaire returned to Western Equatoria, where they found safe haven in displaced camps.

23. Virtually all relief activities in the non-government areas of northern Bahr el-Ghazal were disrupted by militia acting under the command of Kerubino Kwanyin Bol. Using the town of Gogrial as a base, Kerubino's forces launched "scorched earth" attacks on surrounding villages, looting relief

supplies and burning grain stocks, homes and non-moveable supplies. These attacks, which frequently coincided with food distributions of the World Food Programme, have occurred on a regular basis since late 1993, with the result that tens of thousands of civilians have been deprived of consistent access to health care, education and other relief interventions. The capture of several garrisons by SPLA during its 1997 offensive resulted in more than 20,000 newly displaced persons fleeing into Wau and other government locations.

24. In June 1996, SSIA forces captured Akobo on the border between the Sudan and Ethiopia, where SPLA forces were active in support of a planned offensive into southern Blue Nile with the National Democratic Alliance (NDA), the umbrella group of opposition forces. To the west of Akobo, interfactional fighting between SPLA and SSIA forces subsided in mid-1996, allowing relief activities to resume in the surrounding areas. Fighting in these areas resumed in July 1997.

25. With regard to the Blue Nile, Red Sea Hills and Kassala areas, fighting erupted on the borders with Ethiopia and Eritrea between government forces and the combined troops of SPLA and the Sudan Alliance Forces (SAF), an armed group associated with NDA. During its January offensive, SPLA captured Kurmuk and Qeissan and moved towards Damazin, displacing between 40,000 and 50,000 people. International non-governmental organizations were denied access by the Government to the first needs assessment mission carried out in the area but were included in a second mission two months later. Between January and March 1997, SAF forces also attacked border areas in Red Sea Hills and Kassala, conducting raids against government garrisons. SAF troops also occupied the United Nations High Commissioner for Refugees (UNHCR) refugee camp at Garora in Red Sea Hills, resulting in an estimated 12,500 Eritrean refugees crossing the border into Eritrea. Heavily landmined roads impeded access to the area.

Security incidents affecting relief personnel

26. From August 1996 to July 1997, 56 evacuations of relief personnel occurred from 30 locations served by the Operation Lifeline Sudan southern sector. Most of these evacuations resulted from militia activities, including aerial bombardments. In Bahr el-Ghazal, the most insecure area serviced by Operation Lifeline Sudan, relief personnel were evacuated on 30 separate occasions, with seven evacuations from Akobo, Upper Nile. Insecurity on road corridors, including landmines and banditry, also affected Operation Lifeline Sudan personnel. Numerous incidents of arbitrary detention by Government authorities and opposition forces also occurred, which jeopardized the security of relief personnel.

27. Concerns were also raised by an announcement by the Sudanese Information Minister on 2 April 1997 that personnel of international aid organizations operating without the approval of the Government in areas captured by rebel forces would be considered legitimate military targets by government forces.

C. Access restrictions

Flight clearances

28. Although the number of locations accessible by air for humanitarian assistance increased to a high of 167 in December 1996, the number of monthly flight denials by the Government increased from an average of 12 locations per month in the previous reporting period to an average of 17 locations per month between August 1996 and July 1997, reaching between 20 and 33 flight denials per month in the period between January and March 1997. The Government also suspended all WFP and UNICEF flights between 24 April and 14 May 1997 and all WFP and UNICEF flights originating from Lokichokio between 4 and 11 June 1997. During April and May 1997, the Government imposed restrictions on the use of the Hercules C-130 aircraft, critical for the delivery of food during the "hunger gap" months of May to August. Further difficulties arose when the Government granted written clearance for particular flights, only to have the aircraft returned mid-flight when Juba air traffic control denied permission for the aircraft to enter Sudanese airspace. The no-fly zone imposed by the Government over the area south of the Juba-Torit-Kapoeta and Juba-Yei-Kaya lines, which was first imposed by the Government from December 1995 until February 1996, was reimposed in May 1996 and remained in place until February 1997, when it was lifted. The no-fly restriction was reimposed for one month in April 1997.

29. SPLM refused flight clearances on 14 occasions from August 1996 to July 1997. SPLA also threatened to shoot down any aircraft attempting to land at Akobo, Jonglei, on 23 October 1996. The threat was withdrawn five days later. Of the 66 air corridors agreed upon in the 1994 IGADD Agreement, access to one was denied for eight months of the year while access to four other locations was denied for either one or two months.

Barge operations

30. Barge operations were similarly restricted. In May 1997, the Juba convoy originally scheduled to depart in January 1997 was cancelled owing to the failure to obtain clearances from the Government. As a result, approximately 420,000 people along the Juba corridor were deprived of food and 15,000 children under five years of age went without measles vaccinations, dramatically increasing their vulnerability to the disease. The cancellation forced WFP to resort to the expensive option of airlifts to supply Juba. Rebel factions also significantly impeded barge convoys and prevented the delivery of relief food aid to populations along river corridors. SPLA-United soldiers held up a barge convoy between Renk and Malakal in August 1996 and detained two government officials for seven days.

Road access

31. Landmines and ambush attacks were a constant threat to relief convoys travelling by road, in particular from Kenya and Uganda. From August 1996 to July 1997, 15 ambushes of Operation Lifeline Sudan vehicles occurred in the Sudan, Kenya and Uganda. Increased insecurity in northern Uganda during the second half of 1996 resulted in the frequent closure of the main transport routes to displaced camps in southern Sudan. In northern Sudan, WFP deliveries

of food assistance to refugees in Red Sea Hills also ceased owing to the presence of landmines on the area's main access routes.

Movement of personnel

32. Personnel of the United Nations and non-governmental organizations were routinely denied travel permits by the Government. Between January and June 1997, WFP was only able to conduct 14 assessment missions although clearances had been requested for more than 25 locations. The April airlift to Juba, which had been urgently requested by the Government, was delayed by the failure to grant a timely travel permit to an international food monitor.

D. Internally displaced persons

33. Internally displaced populations living in government locations continued to be the most under-serviced constituency within Operation Lifeline Sudan. Efforts to provide humanitarian assistance to those populations were constrained by access restrictions, policies of the Government, limited donor funding and insecurity. The escalation of the conflict resulted in the displacement of additional populations, in particular those living along the borders with Ethiopia and Eritrea, as well as in the southern states. In late 1996, thousands of Sudanese refugees returned to Western Equatoria to escape the conflict in the former Zaire, settling in camps in Ezo, Kotobi and Mundri. In the first quarter of 1997, tens of thousands of Sudanese refugees returned to the Yei and Kajo Keji areas in Eastern Equatoria from camps in northern Uganda.

34. Severe flooding in the greater Khartoum area in September 1996 devastated the four official camps for displaced persons and many other areas where they were settled. In response to an emergency appeal launched by the Department of Humanitarian Affairs, donors contributed US$ 150,000 to help meet the urgent needs of 10,000 affected families. Subsequently, in order to prevent a repeat of the 1996 crisis, flood prevention measures were jointly implemented by the Government, the United Nations and non-governmental organizations.

35. Several initiatives to resettle displaced persons were undertaken. Persistent insecurity, however, undermined United Nations efforts in certain locations, including Juba. After the Sudan Peace Agreement was signed in April 1997, a limited number of internally displaced persons returned spontaneously to the Upper Nile region from Khartoum, although their reintegration was hampered by lack of employment opportunities, poor social services and insecurity. As was the case during the previous reporting period, efforts to resettle internally displaced persons in rebel-held areas were hampered by the combination of insecurity, and problems of transport and access.

36. Although the policy of the Government towards internally displaced persons remained unclear, in February 1997 the Government announced that the four official camps for displaced persons in Khartoum state, with some 350,000 residents, would be dismantled during 1997 and that the residents would either be relocated into "peace villages" elsewhere in Khartoum state or be resettled. As soon as the planned relocations were announced, the United Nations and non-governmental organizations sought the agreement of the Government on a set

of procedures to be followed during relocations. At the end of the reporting period, discussions with the Government were continuing. The Government's relocation plans were given further impetus after the signing of the Sudan Peace Agreement, when officials announced plans to relocate populations living in greater Khartoum into areas controlled by UDSF. It is expected that these relocations will begin after the rainy season is over in November 1997. Although members of the humanitarian community expressed concern about unsuitable relocations, it was widely recognized that the Sudan Peace Agreement may open the way for large-scale, long-term resettlement. Negotiations regarding appropriate preconditions and other policy matters are expected to continue throughout the year.

37. The urban planning policies of the Government for the greater Khartoum area continued to result in the demolition of squatter settlements on land allotted for residential purchase, albeit on a smaller scale than in previous years. During the reporting period, demolitions affecting thousands of families occurred in Takamul and Karton Kassala in northern Khartoum, in Angola in Omdurman, and Mayo City in southern Khartoum.

E. Non-governmental organizations

38. International non-governmental organizations continued to provide essential humanitarian services, including supplementary feeding, nutrition, disease prevention and treatment, sanitation, water, food-for-work, education and household food security. As in previous reporting periods, non-governmental organizations served as the main implementing partners of Operation Lifeline Sudan. Although several new projects were begun by non-governmental organizations operating in government locations, their activities continued to be restricted and they continued to face difficulties in conducting special needs assessments. Although the expectations of the international community were raised with the April 1997 appointment of a new General Commissioner for the Humanitarian Aid Commission, bureaucratic changes did not occur as quickly as had been hoped.

39. In addition to delaying or denying entry visas, initial work permits and internal travel permits to international non-governmental organizations, the Government also attempted to introduce new uncompetitive bidding procedures for local food procurement by obliging humanitarian agencies to purchase food through government parastatals. After months of delay, during which at-risk populations in Kordofan and Darfur received no assistance, the Government agreed to more open procedures after strenuous interventions by the United Nations and donors.

40. As in previous years, non-governmental organizations working in rebel-held areas experienced restrictions on their humanitarian activities. The combination of the intensifying conflict and denials of air access resulted in 56 relocations and brought many assistance programmes to a standstill. Breaches of the ground rules by rebel factions also affected operations by non-governmental organizations. The compounds of non-governmental organizations were forcibly entered and goods were stolen at Pochala in Jonglei and at Tambura in Western Equatoria by armed rebel soldiers. On 15 May 1997, personnel of

Operation Lifeline Sudan were evacuated from Akobo in Upper Nile following a steady build-up of violations of the ground rules, including restrictions on the use of communication equipment.

41. In response to recommendations arising from the review of Operation Lifeline Sudan, a meeting was held in January 1997 for members of the Operation Lifeline Sudan southern sector consortium which comprises two United Nations agencies (WFP and UNICEF) and more than 35 non-governmental organizations, with the aim of formulating a common approach to major policy issues. Agreement was reached on specific measures to improve programme quality, including criteria for membership of Operation Lifeline Sudan, sectoral and regional strategies, and a recommitment to Operation Lifeline Sudan principles and indigenous capacity-building. In the Operation Lifeline Sudan northern sector, steps were taken in 1997 to address operational problems by developing common strategies under the auspices of the newly created Humanitarian Aid Forum.

F. Relief food assistance

42. The crop and food supply assessment mission conducted by the Food and Agriculture Organization of the United Nations (FAO) and WFP in November 1996 forecast total cereal production at 5.3 million metric tonnes in 1996/97, higher than the bumper harvest of 1994/95. Total production was confirmed at 5.4 million metric tonnes by an FAO mission in April 1997. The crop and food supply mission reported that production would be concentrated in the traditional surplus producing regions, including the eastern states. The report warned that drought-prone areas, including Kordofan, Darfur and Red Sea Hills states, would continue to suffer from serious food deficits. The report concluded that persistent insecurity in southern Sudan and the transitional zone would continue to negatively affect food security and result in widespread hunger.

43. On the basis of the Operation Lifeline Sudan and FAO/WFP crop and food supply missions, emergency food requirements for 1997 were estimated at 78,650 metric tonnes for 2.6 million beneficiaries, including 2.2 million in southern Sudan. Emergency food needs for the northern sector were estimated at 31,922 metric tonnes, while southern sector relief food needs were estimated at 46,728 metric tonnes. A portion of this food was to be provided by non-governmental organizations. Funds to cover WFP food requirements, estimated at 24,781 metric tonnes, were requested in the 1997 Inter-agency consolidated appeal launched in February 1997. In April 1997, WFP allocated an additional 2,850 metric tonnes to assist approximately 50,000 people suffering from severe food deficit in the drought-affected northern states.

44. The constraints placed upon food assistance programmes resulted in only 24 per cent of projected needs in the northern sector and only 36 per cent of projected needs in the southern sector being met by WFP. It was nevertheless able to mount several emergency airlifts to Juba and Wau between April and July 1997. One hundred and twenty metric tonnes of UNICEF food and seeds were also delivered by air.

45. After the visit of the United Nations Special Envoy for Humanitarian Affairs to the Sudan in June 1997, WFP submitted a revised proposal to the

Government for four barge convoys to cover accessible locations along all major river corridors, serving over 650,000 beneficiaries. Three of the convoys departed in mid-July 1997 and another was expected to depart in mid-August.

G. Non-food assistance

46. Emergency supplies were provided by UNICEF to newly arrived refugees, displaced persons, returnees and flood victims throughout Sudan despite the difficulties encountered in delivering non-food assistance to many areas. The Fund nevertheless continued capacity-building projects for Operation Lifeline Sudan counterparts, community-based groups and indigenous non-governmental organizations. Under the humanitarian principles programme, UNICEF and Sudanese counterparts held 20 workshops in southern Sudan and Kenya with the aim of raising awareness on protection issues. The Fund also continued to encourage gender sensitivity in sectoral programmes. The UNICEF northern sector strengthened its planning, monitoring and evaluation capacities and also aimed at strengthening subnational mapping of social indicators. Activities in specific sectors are described below.

Health

47. Diarrhoeal diseases, malaria and acute respiratory infections continued to be major causes of mortality and morbidity in southern Sudan, the transitional zone and the camps of displaced persons at Khartoum. Endemic tropical diseases increased in both number and severity, some growing to epidemic levels. An estimated 4.2 million people were reached with basic health services: 3.4 million in southern Sudan, 445,000 in the transitional zone and 395,000 in greater Khartoum. As in previous reporting periods, UNICEF provided essential medical supplies and training to health facilities in Government and rebel-held areas.

48. Operation Lifeline Sudan agencies and counterparts worked to control, treat and prevent outbreaks of several diseases prevalent in the Sudan. Overall coordination, support and supplies for the treatment of diseases, such as severe diarrhoea, cholera, malaria, measles and polio, was provided by UNICEF. Occasional measles outbreaks were controlled with mass immunization campaigns. Polio immunization was also accelerated. Médecins sans frontières (Netherlands) continued to coordinate a treatment programme for kala-azar, with more than 640 new cases treated between April 1996 and April 1997.

49. Southern Sudan is reported to have some of the world's highest rates of tuberculosis, river blindness and guinea worm. Completion rates of tuberculosis programmes dropped from 85-95 per cent to below 75 per cent, while default rates rose to more than 25 per cent from an average of 5 per cent during the previous reporting period. More than 75,600 cases of river blindness were treated in 1996 and 14,680 in the first quarter of 1997. In 1996, more than 120,400 guinea worm cases were reported in 5,462 villages, although the actual number of cases is believed to be much higher. Approximately 248,000 filter cloths were distributed for water filtration.

50. Sleeping sickness, 100 per cent fatal if untreated, has become endemic in parts of Western Equatoria. Limited access to medical facilities and the prohibitively expensive cost of treatment increase the likelihood of the disease spreading to new populations. During 1996-1997, the Joint United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (UNAIDS), in cooperation with UNDP, facilitated preparations for the development of a nationwide programme on acquired immunodeficiency syndrome (AIDS) in the Sudan. By the end of the period, small-scale AIDS awareness programmes were under way in many locations.

Household food security

51. In 1997, UNICEF distributed 630 metric tonnes of seeds and 134,000 hand tools to an estimated 116,000 households in southern Sudan and Southern Kordofan. The 1996 seed swap programmes were less effective than in 1995 owing to extensive flooding. New programmes included seed multiplication farms in Malakal and Southern Kordofan and an agricultural training curriculum for Western Equatoria. More than 460 schools in southern Sudan and Southern Kordofan were assisted in developing school gardens.

52. During the period under review, 1.3 million cattle were vaccinated against rinderpest in southern Sudan and the transitional zone. In government areas, UNICEF trained 160 vaccinators and 15 community-based animal health workers. In areas served by the Operation Lifeline Sudan southern sector, UNICEF and nine Operation Lifeline Sudan non-governmental organizations provided training, supervision and equipment for over 400 community-based animal health workers.

Emergency education

53. To promote the education of girls, 3,000 girls in government locations received school uniforms and birth certificates. A school feeding project, jointly managed by UNICEF, WFP and the Federal Ministry of Education, effectively reduced school drop-out rates in 25 schools in Government towns in southern Sudan. More than 1,180 primary school teachers in rebel-held areas received training during 26 courses held between August 1996 and July 1997. Basic education materials were provided to 1,412 primary schools in both government and rebel-held areas.

Children in especially difficult circumstances

54. In the first reunification programme carried out in SPLA areas, 168 children were reunited with their families in Rumbek and Yirol counties in September 1996. Another 306 children were flown home to their families in Aweil, Tonj, Wau, Rumbek and Yirol counties in December 1996, bringing the number of children in southern Sudan reunified with their families since 1992 to over 1,700. Family tracing and educational support for an estimated 3,000 unaccompanied children living in displaced camps in SPLA areas was continued by UNICEF and its programme partners.

55. In 1996, through assistance provided by the UNICEF northern sector, 216 children living in a camp at Abu Dom, Khartoum, were reunited with their families living in areas of southern Sudan and the transitional zone, as well as

Khartoum. A review of the reunification process is under way. In June 1997, Abu Dom camp was closed and more than 200 children were moved temporarily to the Soba National Reception Centre in Khartoum, where they will remain pending reunification with their families. The UNICEF northern sector also coordinated the reunification of 300 displaced children with their families in Southern Darfur.

Water and sanitation

56. In government areas, UNICEF drilled and installed 11 new boreholes, repaired 175 handpumps, installed seven new handpumps and trained 55 handpump mechanics. It also installed more than 775 household and 3 school latrines. In rebel-held areas, the water team of Operation Lifeline Sudan repaired over 600 handpumps and dug 6 new wells. Efforts continued to ensure that water supply management and hygiene awareness were incorporated into primary health care coverage.

Nutrition

57. Nutritional conditions in parts of southern Sudan continued to deteriorate in 1997, with unacceptably high malnutrition rates ranging from 16 per cent in Juba to 50 per cent in Bahr el-Ghazal. UNICEF and its partner agencies provided nutritional input in the form of UNIMIX, high-protein biscuits and vitamin A capsules in southern Sudan, Southern Darfur and Southern Kordofan. The nutritional needs of 40,000 malnourished children and pregnant and lactating women in the Khartoum displaced persons camps were addressed by the Adventist Development Relief Agency. During the reporting period, the UNICEF northern sector produced and distributed 823 metric tonnes of UNIMIX to 30,000 beneficiaries each month in government areas of the South and the transitional zone.

H. Assistance to refugees

58. By end-June 1997, a total of 386,847 refugees, mainly from Eritrea and Ethiopia with small numbers from Chad, the Democratic Republic of the Congo and Uganda, were under the protection of UNHCR. Of these, 152,874 were living in 26 camps in eastern Sudan, receiving assistance insofar as water, health, food and education. Eritrean refugees remained the largest group in the Sudan, with 132,327 individuals receiving assistance in camps and an estimated 195,331 living in urban centres. Of the more than 44,000 Ethiopians estimated to be residing in the Sudan, 14,815 receive assistance in the UNHCR camps. The remaining 30,000 Ethiopians are self-settled in large urban areas including Khartoum, Kassala, Gedaref and Port Sudan.

59. It is estimated by UNHCR that 4,400 refugees from Chad, 100 from Somalia and 9,600 from Uganda, the Democratic Republic of the Congo and elsewhere also reside in the Sudan. Except for the estimated 4,400 Chadians living in western Darfur, most of the refugees are self-settled in urban centres and, therefore, do not receive assistance from UNHCR and other aid agencies.

60. By June 1996, 56,647 refugees had been voluntarily repatriated to Ethiopia under the auspices of the UNHCR operation begun in 1993. Another 6,961 Ethiopians and 75 Eritreans were repatriated during the first quarter of 1997. The Eritrean repatriation programme, begun on a pilot basis in 1994 and suspended in June 1995, continued to flounder. In May 1997, after the Government of Sudan had cleared the major obstacles to the resumption of the operation, the Government of Eritrea expelled all international staff from UNHCR offices at Asmara and Teseney. Despite high-level interventions by UNHCR with the Eritrean authorities, the operation remained suspended at the end of the reporting period.

61. The intensification of the civil conflict in Sudan and the spread of insecurity in neighbouring countries resulted in influxes of refugees and returnees into southern Sudan during the first half of 1997. An estimated 1,000 refugees from the Democratic Republic of the Congo and 75 Ugandans arrived at Juba during that period. As has been the case in the past, refugees and returnees, including those at Juba, received assistance under the Operation Lifeline Sudan umbrella. In May 1997, UNHCR headquarters fielded a mission to review the conditions of Sudanese returnees. The report indicated that approximately 50,000 refugees had returned, mostly to areas occupied by SPLA, and it was recommended that UNHCR staff be seconded to the Operation Lifeline Sudan southern sector in order to ensure that adequate protection was provided to the returnees.

62. During the military offensive launched by Sudanese opposition forces in Red Sea Hills, the Garora camp, host to approximately 12,500 Eritrean refugees, was occupied. A joint mission of UNHCR, WFP and the Commission for Refugees in June 1997 confirmed that the refugees living at Garora had either returned to Eritrea or had dispersed into the surrounding mountains.

IV. ACTION TAKEN BY MEMBER STATES

63. In addition to the activities described above, several Member States have provided information on action taken pursuant to General Assembly resolution 51/30 I.

64. The Government of Italy has contributed Lit 1 billion to UNICEF for a social and health programme.

65. During the biennium 1996-1997, the Government of Ireland has provided a total of £Ir 526,000 for emergency assistance in the Sudan.

66. During the period June 1995-June 1997, the Government of Sweden has provided SKr 68 million for emergency assistance to the Sudan, inter alia, in the following areas: protection and humanitarian assistance; water, sanitation and transport support; refugee care and maintenance; repatriation; and education. Of this amount, SKr 23 million was allocated during the period January-June 1997. The main implementing partners have been UNICEF, UNHCR and ICRC.

67. The Government of Switzerland provided a total of SwF 4,500,520 in humanitarian assistance to the Sudan in 1996.

68. The Government of the United Kingdom of Great Britain and Northern Ireland has contributed a total of £2,686,115 in 1997 to the United Nations and international non-governmental organizations for food aid, non-food humanitarian assistance, rehabilitation assistance and assistance to Sudanese refugees in Uganda and elsewhere.

V. CONCLUDING OBSERVATIONS

69. Previous reports have highlighted the important achievements and implications of Operation Lifeline Sudan as an effective instrument of humanitarian policy in times of internal conflict. The continued relevance of this operation for war-affected and other displaced persons in the Sudan was unequivocally reaffirmed in late 1996 by both United Nations humanitarian agencies and the independent team of experts which, from November 1995 to August 1996, undertook the first independent review of Operation Lifeline Sudan in its then seven-year history.

70. Despite positive cooperation at many levels with both the Government of the Sudan and the rebel movements, the activities of Operation Lifeline Sudan have been restricted by certain policies and tactics of obstruction designed to impede the flow of humanitarian assistance to civilian populations in need. In that context, the work of Operation Lifeline Sudan Coordinators at Khartoum and at Nairobi, as well as the Special Envoy for Humanitarian Affairs to the Sudan, has been vital for preserving a framework of cooperation on humanitarian issues among all of the national and international partners in Operation Lifeline Sudan. This framework of cooperation has evolved over the years to a point where, as reflected in the Operation Lifeline Sudan agreements of March and May 1994, the parameters for humanitarian action in the Sudan must continue to be of a tripartite character if war-affected civilian populations are to be equitably and effectively assisted through international humanitarian action. It is within those parameters, moreover, that specific modalities for the participation of the parties must be established.

71. Failure to consistently recognize the strictly neutral and impartial humanitarian mandate of United Nations relief agencies represents a threat to a successful continuation of Operation Lifeline Sudan. While the principle of United Nations humanitarian action has always been endorsed by the parties, the effect of restrictions imposed on Operation Lifeline Sudan activities has on occasion been so drastic as to call into question the viability of the operation. As documented in the present report and in previous reports, these restrictions relate primarily to access by Operation Lifeline Sudan to needy populations, whether in the form of relief flights from the base at Lokichokio into southern Sudan, humanitarian action in favour of the over 2 million internally displaced persons living in and around greater Khartoum, or permission to assess the conditions of civilian populations in the Nuba Mountains or in new areas of need created as a result of a resurgence of hostilities. The attention of the General Assembly is once again drawn to these issues.